



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



December 4, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**30-DAY STATUS OF RECOMMENDATIONS MADE BY
THE CITIZENS' COMMISSION ON JAIL VIOLENCE**

On October 16, 2012, the Board requested the Los Angeles County Sheriff's Department (Department) report back on the status of recommendations made by the Citizens' Commission on Jail Violence (CCJV). Attached is an update on each recommendation from the October 15, 2012, response.

Should you have any questions or require additional information, please contact me or Assistant Sheriff Cecil W. Rhambo, Jr., at (323) 526-5065.

Sincerely,

LEROY D. BACA
SHERIFF

A Tradition of Service

Marker	RECOMMENDATION	Done	In Progress	Funding Required	Funding	Target Date	Last Updated
3.1	Use of Force Policy in a single document		X			1/1/13	12/4/12
3.2	Members read and understand the Department's Use of Force Policy		X			1/1/13	12/4/12
3.3	Training on Use of Force Policy and how it applies in Custody		X			1/1/13	12/4/12
3.4	Force Prevention Policy and prohibit inmate retaliation or harassment		X			1/1/13	12/4/12
3.5	Force Policy should be based upon the objectively reasonable standard		X			1/1/13	12/4/12
3.6	Force Policy preference for planned, supervised, and directed force		X			1/1/13	12/4/12
3.7	The Use of Force Policy should account for special needs populations in the jails		X			1/1/13	12/4/12
3.8	Single, reliable, and comprehensive data tracking system			X	\$3,000,000	6/1/15	12/4/12
3.9	Inmate grievances should be tracked in PPI by the names of LASD personnel		X			6/1/15	12/4/12
3.10	LASD should analyze inmate grievances regarding use of force incidents	X				N/A	12/4/12
3.11	Use of force needs to be tracked by the highest levels of LASD management	X				N/A	12/4/12
3.12	Body scanners		X			6/1/13	12/4/12
4.1	The Sheriff must be personally engaged in oversight of the jails	X				N/A	12/4/12
4.2	High level managers accountable for force problems in the jails		X			11/1/13	12/4/12
4.3	The Undersheriff responsibility	X				N/A	12/4/12
4.4	New Assistant Sheriff for custody			X	\$771,000	1/1/13	12/4/12
4.5	New Assistant Sheriff should have corrections experience			X	See Item 4.4	1/1/13	12/4/12
4.6	The Assistant Sheriff for Custody should report directly to the Sheriff	X				N/A	12/4/12
4.7	The CIMTF should not be a permanent part of Custody management	X				N/A	10/15/12
4.8	The Sheriff must monitor the Department's use of force in the jails	X				N/A	12/4/12
4.9	The Department should implement SCIF	X				N/A	12/4/12
4.10	Senior management needs to be more visible and engaged in Custody	X				N/A	10/15/12
4.11	Operations Staff size			X	TBD	3/31/13	12/4/12
4.12	Internal Audit and Inspections Division			X	\$8,464,000	3/31/13	12/4/12
4.13	Policy to address campaign contributions		X			1/1/13	12/4/12
4.14	Participate in collaborations such as the Large Jail Network	X				N/A	12/4/12
5.1	Continue to implement reforms that emphasize respect for inmates.	X				N/A	12/4/12
5.2	Force Prevention Policy to be stressed in training	X				N/A	12/4/12
5.3	Enhance ethics training	X				N/A	10/15/12
5.4	Make Custody a valued and respected assignment and career.		X			1/1/13	10/15/12
5.5	Senior leaders must be more visible in the jails	X				N/A	10/15/12
5.6	Zero tolerance for acts of dishonesty		X			1/1/13	12/4/12
5.7	The Department should have a sensible rotation policy		X			12/31/13	12/4/12
5.8	LASD should discourage participation in destructive cliques.	X				N/A	12/4/12
6.1	Revise policies and procedures to reflect Custody as a valued part of the Department.		X			1/1/13	12/4/12
6.2	Develop a long-range and steady hiring plan based upon normal attrition	X				N/A	10/15/12
6.3	Deputies and supervisors should receive significantly more Custody specific training		X		\$12,097,000	3/31/13	12/4/12
6.4	There should be a meaningful probationary period for new deputies in Custody	X				N/A	12/4/12
6.5	The number of supervisors to deputies should be increased			X	\$19,647,000	1/1/13	12/4/12
6.6	The Department should allow deputies to have a career in Custody		X			1/1/13	10/15/12
6.7	The Department should utilize more Custody Assistants		X		\$14,875,000	1/1/13	12/4/12
6.8	Rotations within and among proximate facilities should be implemented		X			12/31/13	12/4/12
6.9	The Mission Statement should be changed to reflect the importance of Custody		X			3/31/13	12/4/12
6.10	Create a separate Custody Division with a professional jail workforce		X			1/1/13	12/4/12
7.1	The investigative and disciplinary system should be revamped			X	TBD	3/31/13	12/4/12
7.2	CFRC should monitor Force Packages	X				N/A	12/4/12
7.3	Deputies should not be allowed to review video prior to writing report		X			1/1/13	12/4/12
7.4	Deputies involved in Significant Force should be separated		X			1/1/13	12/4/12
7.5	IAB / ICIB should in an Investigations Division under a Chief who reports to the Sheriff			X	\$313,000	1/1/13	12/4/12
7.6	IAB should be appropriately staffed	X				N/A	10/15/12
7.7	There should be increased penalties for excessive force and dishonesty		X			TBD	12/4/12
7.8	Each jail should have a Risk Manager to track and monitor use of force investigations			X	\$1,718,000	1/1/13	12/4/12
7.9	Force investigations should not be conducted by deputies' supervisors		X			TBD	12/4/12
7.10	Charges should not be reduced for use of force or dishonesty		X			TBD	10/15/12
7.11	The Department should vigorously investigate and discipline off-duty misconduct	X				N/A	10/15/12
7.12	Implement an enhanced system to track force reviews and investigations		X			TBD	12/4/12
7.13	Inmate complaints should be tracked by deputies' names in PPI		X			6/1/15	12/4/12
7.14	The inmate grievance process should be improved		X			12/31/14	12/4/12
7.15	The use of lapel cameras as an investigative tool should be broadened			X	TBD	12/31/13	12/4/12
8.1	Create an independent Inspector General's Office			X		N/A	10/15/12
8.2	Report regularly to the Board of Supervisors	X				N/A	10/15/12
8.3	OIR should review unit level investigations for fairness and accuracy.			X		N/A	10/15/12
8.4	The OIG should review the Department's data for trends, spikes, and patterns in the jails.			X		N/A	10/15/12
SUMMARY - 63 Recommendations		21	29	13	\$60,885,000		

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.1 (IN PROGRESS)

LASD should promulgate a comprehensive and easy-to-understand Use of Force Policy in a single document.

Chief Abner / Commander Hellmold

10/15/12 Response:

The Department has started the process of restructuring the Use of Force Policy, and consolidating all Use of Force Policies into a single document.

The policy is in its final stages of being incorporated, and has met the scrutiny and approval of the Office of Independent Review (OIR), Special Counsel Merrick Bobb, and force experts. The new Use of Force Policy will take effect January 1, 2013, in order to allow a reasonable period to train all Department personnel, standardize reporting and investigation forms, and set up precise data coding for analysis and early warning.

Update 12/04/12:

The new Use of Force Policy has been finalized and is currently being consolidated with all other force policies into a single document entitled: "Force Manual." A training bulletin and video will be distributed Department wide to assist unit commanders with briefing and training all personnel regarding the policy changes. The process is scheduled to be completed by December 31, 2012.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.2 (IN PROGRESS)

LASD personnel should be required to formally acknowledge, in writing, that they have read and understand the Department's Use of Force Policy.

Chief Abner / Commander Hellmold

10/15/12 Response:

Currently, the Department requires all personnel to sign that they have read and understand the Department's Policy and Ethics Chapters of its Manual of Policy and Procedures. The Department has prepared a signed admonition form to additionally ensure all personnel acknowledge in writing that they have read and understand the Department's Use of Force Policy. This process will be completed by December 31, 2012.

Update 12/04/12:

The new Use of Force Policy has been finalized, and is currently being consolidated with all other force policies into a single document entitled: "Force Manual." A training bulletin and video will be distributed to assist unit commanders with briefing and training all personnel regarding the policy changes. Unit commanders will ensure all personnel have read and signed the admonition for acknowledging they have read and understand the policy. The process is scheduled to be completed by December 31, 2012.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.3 (IN PROGRESS)

All LASD Custody personnel should be provided training on a new comprehensive and easy to understand Use of Force Policy and how it applies in Custody.

Chief Abner / Chief Yim

10/15/12 Response:

The Department is preparing an easy to understand training bulletin, to be followed-up with training conducted by unit training sergeants to ensure all personnel understand how the Use of Force Policy applies specifically in Custody, as well as throughout the entire Department.

Update 12/04/12:

The training bulletin and video are being finalized, and will be distributed to assist unit commanders with briefing and training all personnel regarding the policy changes. The process is scheduled to be completed by December 31, 2012.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.4 (IN PROGRESS)

The Department's Use of Force Policy should reflect a commitment to the principles of the Force Prevention Policy and prohibit inmate retaliation or harassment.

Chief Abner / Chief Yim

10/15/12 Response:

The Department has incorporated the principles contained in the Force Prevention Policy, into the restructured Use of Force Policy. This policy will take effect January 1, 2013. Additional policies specifically prohibiting inmate retaliation and harassment have also been incorporated into the Custody Division Manual.

Update 12/04/12:

This recommendation will be completed upon implementation of the new Use of Force Policy, effective January 1, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.5 (IN PROGRESS)

LASD's Use of Force Policy should be based upon the objectively reasonable standard rather than the Situational Use of Force Options Chart.

Chief Abner / Commander Hellmold

10/15/12 Response:

While the current Use of Force Policy is based on the "objectively reasonable" standard, the Department inserted specific language from the Supreme Court decision of **Graham v. Connor, 490 U.S. 386 (1989)**, into its restructured Use of Force policy (effective January 1, 2013). The Situational Use of Force Options Chart is a visual representation of our policies and training, and also based on *Graham v Connor*. This visual representation assists our personnel in understanding what their "objectively reasonable" force options are. It is used in conjunction with written policies, verbal training, and dynamic practical application training scenarios.

Update 12/04/12:

Specific language from the Supreme Court Decision of **Graham v. Connor, 490 U.S. 386 (1989)** was inserted into the new Use of Force Policy.

The Department will continue to work with the Implementation Monitor and law enforcement experts to determine the necessity for the Situational Use of Force Options Chart.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.6 (IN PROGRESS)

The Use of Force Policy should articulate a strong preference for planned, supervised, and directed force.

Chief Abner / Commander Hellmold

10/15/12 Response:

The Department has inserted specific language into the restructured Use of Force policy to articulate a strong preference for planned, supervised, and directed force. More specifically, the new Preamble to the Department's Use of Force Policy states:

Department members should endeavor to de-escalate confrontations through tactical communication, warnings, and other common sense methods preventing the need to use force whenever reasonably possible. When force is required, every effort shall be made to plan, supervise, and direct force in an effort to control confrontations in a calm and professional manner.

Update 12/04/12:

This recommendation will be completed upon implementation of the new Use of Force Policy, effective January 1, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.7 (IN PROGRESS)

The Use of Force Policy should account for special needs populations in the jails.

Chief Yim / Commander Hellmold

10/15/12 Response:

The Department consulted the Department of Justice to ensure compliance with Department of Mental Health standards. In March 2012, the Department of Justice reported full compliance by the Department in its inspection report. The Department will work with mental health experts to develop specific policies, supervision, and training for handling inmates with special needs. Those policies will be implemented concurrent with the new Use of Force Policy (effective January 1, 2013).

Update 12/04/12:

Please see attached Custody Division Manual policies 5-03/115.00 and 5-04/020.00 submitted with this update for policies regarding special needs inmates. The policies regarding special handling for pregnant inmates are a direct reflection of California Penal Code Sections 6030(f), and 5007.7.

5-03/115.00 PREGNANT INMATES

Upon arrival at a custody housing facility, female inmates shall be screened by medical personnel and, if requested, provided a pregnancy examination. Inmates who are deemed by medical staff to be pregnant shall receive the following considerations:

- A balanced, nutritious diet approved by a doctor,
- Prenatal and postpartum information and healthcare, including, but not limited to, access to necessary vitamins as recommended by a doctor,
- Information pertaining to childbirth education and infant care,
- A dental cleaning

Restraining Pregnant Inmates

When security demands require the restraint of a pregnant inmate, while either in a custody facility or during transportation, the inmate shall be restrained in the least restrictive manner possible. The method of restraint shall be consistent with the legitimate security needs of each inmate, as determined by the inmate's criminal history and propensity for violence or escape.

Labor and Childbirth

Pursuant to California Penal Code Section 6030(f), "...at no time shall a woman who is in labor be shackled by the wrists, ankles, or both including during transport to a hospital, during delivery, and while in recovery after giving birth, except as provided in [Penal Code] Section 5007.7."

In accordance with Penal Code Section 5007.7, an inmate may not be shackled after they are declared to be in active labor, "...unless deemed necessary for the safety and security of the inmate, the staff, and the public."

If security demands dictate that an inmate be shackled while she is in labor, special consideration shall be made to secure the inmate in the least restrictive manner, consistent with the legitimate security needs of the inmate, and in a way which will not interfere with the birthing process or endanger the safety of the inmate or the baby.

As soon as practically possible, the facility watch commander shall be notified about an inmate who has been shackled while in labor. The details of the incident, including the reason for restraint, shall be documented in the facility log book.

5-04/020.00 JAIL MENTAL EVALUATION TEAM (JMET)

Four Custody Division Jail Mental Evaluation Teams (JMET) address the needs of mentally ill inmates within the custody of the Los Angeles County Sheriff's Department. The primary responsibility of the JMET teams is to identify mentally ill inmates who may be in need of attention to address their special needs.

All inmates in the general population shall have access to Mental Health Services. Custodial personnel or Medical Services may request evaluations. During routine working hours access to Mental Health Services will be provided by Jail Mental Evaluation Team (JMET) members.

Each team consists of one deputy and one mental health clinician. Two North teams are assigned to, and responsible for, every facility within the Pitchess Detention Center and are available Monday through Saturday. Two South teams are responsible for the Century Regional Detention Facility, Twin Towers Correctional Facility, and Men's Central Jail and are available Monday through Friday. All teams are available during day-shift hours.

Command and Control

JMET is based at the Twin Towers Correctional Facility (TTCF), and works under the command of the TTCF Captain. Members report to the TTCF Mental Health Liaison Lieutenant.

Telephonic notification and written statements of significant incidents; e.g. use of force, injury to JMET staff members, shall be made and submitted to the TTCF Mental Health Liaison Lieutenant (or his designee).

Crisis Situations

During their normal working hours JMET shall be available to watch commanders to respond to crisis situations and/or tactical situations. Watch commanders may consider the use of JMET in situations including, but not limited to:

- Barricade situations,
- Suicidal ideation,
- Exhibition of bizarre behavior,
- Hunger strike,
- Threatening others.

In these circumstances, JMET may act as consultants, or may be used to communicate with the inmate in an effort to defuse a situation.

JMET Referrals

When a staff member from an affected facility encounters an inmate whom they feel may need the attention of a mental health clinician, the appropriate Jail Mental Evaluation Team shall be notified. Each facility shall designate a central point where staff members can log referrals to the JMET. Members of the JMET shall review the referral log and interview the inmates in question to assess their mental health needs. In no way does this preclude any deputy from taking emergent action if they perceive that an inmate needs immediate attention.

In some cases, JMET may determine the inmate is not suitable to remain in a general population setting. In such cases, a Behavioral Observation and Mental Health Referral form shall be completed and arrangements made to transfer the inmate to the Inmate Reception Center (IRC) for a more intensive medical health evaluation, and placement in an appropriate level of mental health housing. These may include:

- TTCF, Tower I (male inmates),
- TTCF, Tower II (female inmates),
- TTCF, Medical Services Building (MSB) Forensic In-Patient Program (FIP).

Transportation of an inmate to TTCF mental health housing shall be provided by the facility from which the inmate is being transported. JMET members may accompany the transporting facility deputy if it is apparent that the presence of JMET will reduce the risk of violent or self-injurious behavior on the part of the inmate.

Staff members may refer an inmate to JMET who may not be in need of mental health housing. In those situations, JMET will determine if further mental health intervention is needed.

Medical Services

JMET referrals are brought to the originating facility's clinic for evaluation prior to transfer. JMET referrals shall be prioritized by Medical Services personnel. These inmates shall be medically cleared to determine if they are appropriate for transfer to mental health housing at TTCF. JMET shall recommend the appropriate housing location at TTCF based on their initial assessment of the inmate. The watch commander, in conjunction with Medical Services personnel, shall make the final determination for immediate or routine transportation of the inmate. Alternate transportation shall be arranged if the inmate's condition decompensates and warrants any urgency as determined by JMET.

NOTE: It is the intent of this policy that all inmates referred by JMET receive a medical evaluation prior to their transport to TTCF, however, no inmate should be unduly delayed in this process. If the watch commander of the originating facility determines that a medical evaluation will cause an unnecessary delay in the movement of the inmate, then the watch commander may authorize the immediate transport of the inmate to the IRC main clinic, where a medical evaluation shall occur. The name of the watch commander making this authorization shall be noted on the Behavioral Observation and Mental Health Referral (BOMHR) form (SH-J-407).

The medical section of the original Behavioral Observation and Mental Health Referral (BOMHR) form shall be completed and identified as a JMET referral. The words "JMET Referral" shall be stamped or handwritten across the top in red ink with the recommended housing location clearly visible in the upper right hand corner.

The following documents shall be given to the escorting deputy in a sealed envelope with the name of the facility, the inmate's name, booking number, and the name of the handling medical staff printed legibly on the outside of the envelope:

- Original Behavioral Observation and Mental Health Referral (BOMHR) form,
- Medical chart and/or relevant medical documents,
- JRC.

Medical Services shall notify the following by facsimile of the Behavioral Observation and Mental Health Referral (BOMHR) form, to ensure appropriate housing and handling of the inmate:

- Jail Mental Health Services,
- IRC Medical Services Clinic.

Facsimile copies of the BOMHR forms sent to the IRC Clinic shall be collected by that shift's supervising nurse who shall retain them pending the inmate's arrival. The supervising nurse shall also take delivery of the medical chart when it arrives, and ensure that the chart is delivered to Health Information Management Services for appropriate disposition.

Transporting Deputy

The transporting facility deputy shall ensure that the appropriate paperwork accompanies the inmate to IRC. Upon arrival at IRC, the inmate and paperwork shall be delivered to the IRC Clinic.

Confidentiality

Custody Division Jail Mental Evaluation Team personnel shall maintain the confidentiality of all JMET referrals pursuant to Welfare and Institutions Code, Article 7, section 5328, "Legal and Civil Rights of Persons Involuntarily Detained." Additionally, all JMET members shall have a signed Oath of Confidentiality on file at Twin Towers Correctional Facility. This oath mandates that an inmate's mental health history as well as current information obtained from a JMET contact is considered confidential.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.8 (FUNDING NEEDED)

PPI and FAST should be replaced with a single, reliable, and comprehensive data tracking system.

Chief Betkey

10/15/12 Response:

The Department is currently working with technicians to develop a single, reliable, and comprehensive data tracking system to replace the Personnel Performance Index (PPI) and Facilities Automated Statistical Tracking (FAST) systems.

Update 12/04/12:

The Department plans to upgrade the current PPI to a completely upgraded system which will provide a comprehensive single solution for tracking all aspects of Department personnel performance regardless of assignment. It is estimated the PPI project will cost approximately \$3 million and take approximately 24-36 months for full implementation; however, funding has not been identified. The new system would provide the functionality to meet all of the CCJV recommendations related to tracking personnel performance.

The function of PPI differs from that of FAST, Operations Information Management (OIM), and Custody Automated Reporting and Tracking System (CARTS). PPI was made solely to compile and report statistics regarding the performance of Department personnel. FAST, OIM, and CARTS provide some of those same statistics; however, their main function is to allow Custody managers to manage events and their workflow. Because personnel statistics are considered sensitive information, the security of PPI is a great deal more robust than that of the other systems. Additionally, edit capabilities are restricted to a small number of authorized users to ensure the sanctity of personnel information remains intact and reliable. Based on this reliability, PPI should be the only source of data regarding personnel performance for reporting purposes. In order to safeguard personnel information to help ensure its continued reliability, it is recommended the tracking of workflow, (e.g. FAST, OIM, CARTS) be kept separate from that of tracking personnel statistics (PPI).

The Department's plans to upgrade PPI, and its associated costs, have been forwarded to the County's Chief Information Officer (CIO), and he has preliminarily concurred with the upgrade proposal. Additionally, the Information Systems Advisory Board (ISAB) has also been consulted.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.9 (IN PROGRESS)

Inmate grievances should be tracked in PPI by the names of LASD personnel.

Chief Betkey

10/15/12 Response:

The Department's long-term plan is to create a new module in the updated Personnel Performance Index (PPI) database. In order to comply immediately, the Department is currently tracking inmate grievances by the names of Department personnel, in the Facilities Automated Statistical Tracking (FAST) database.

Update 12/04/12:

See recommendation 3.8 for status updates on PPI.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.10 (IMPLEMENTED)

LASD should analyze inmate grievances regarding use of force incidents.

Chief Yim

10/15/12 Response:

The Department has established a process to track and review inmate grievances to identify potential patterns of conduct by personnel. Special Counsel Merrick Bobb urged the Department to analyze inmate grievances in order to ensure potential problems were identified. The practice has been incorporated into the regular duties of each jail Captain in order to ensure oversight and early warning to potential problems. Unit commanders are required to review all staff members' Personnel Performance Index (PPI) and Facilities Automated Statistical Tracking (FAST) entries to identify possible trends in performance. This process will also be reviewed by the Custody Division Chief, and during Sheriff's Critical Issues Forums (SCIF).

Update 12/04/12:

The Department currently has a policy in place to address inmate grievances, which includes complaints against staff and use of force incidents. The attached Custody Division Manual, section 5-12/000.00, mandates that complaints be tracked by a reference number. Any complaints of allegations of misconduct are forwarded to the unit commander for investigation and disposition. The attached Custody Division Directive 12-003 states that personnel identified in an inmate complaint against staff shall be listed in the disposition section of the form, after a supervisor has completed their investigation. Inmate complaints against staff are accessible in FAST by deputy and inmate names, as well as reference number and complaint category.

5-12/000.00 INMATE REQUESTS FOR SERVICE AND COMPLAINTS (NON-MEDICAL/NON-MENTAL HEALTH)

All inmates confined within the Los Angeles County Jail system have a right to file a complaint or submit a request for service. No member of the Department shall discourage, hinder or prohibit any inmate from filing a complaint. For the purpose of this policy, the terms "grievance" and "complaint" are synonymous.

Responsibilities

It shall be the responsibility of all line personnel to ensure that Inmate Request/Complaint Forms (SH-J-420) and medical envelopes are readily available to all inmates. The supervising line deputy shall check each housing location a minimum of once per shift to ensure that the forms and medical envelopes are readily available.

The checking and restocking of forms and medical envelopes shall be noted in the narrative section of the electronic-Uniform Daily Activity Log (e-UDAL). Sergeants shall note the number of forms retrieved from the complaint boxes in the designated section of the e-UDAL.

At a minimum of once per shift, a sergeant shall remove the forms from the complaint boxes, review them, confirm the date submitted, ensure the inmate has taken the pink copy, and that only one issue is addressed per form. The sergeant shall sort the forms by category. Basic requests (defined below) shall be assigned by the sergeant to a staff member to handle promptly.

All other requests and all complaints (service, personnel, and Americans with Disabilities Act (ADA)) shall be assigned a reference number by the sergeant.

The sergeant shall deliver all other requests and service complaints to the watch sergeant for assignment/handling. The sergeant shall immediately deliver personnel complaints and ADA complaints to the watch commander for review and appropriate action. The sergeant shall immediately deliver, in person, any sealed medical and mental health requests and medical related complaints to a medical sergeant.

Emergency Complaints

An inmate may request that a complaint be handled on an emergency basis. An emergency is defined as an immediate risk of death or injury to the inmate.

Personnel receiving an emergency complaint shall determine if the situation requires immediate action to protect the life or safety of the inmate and, if so, shall take any necessary action pending further investigation. Personnel shall immediately notify their sergeant, who shall initiate the actions necessary to address the situation giving rise to the emergency. The sergeant shall also notify the watch commander, who shall make the final determination on whether the complaint is an emergency and, if

so, shall ensure that appropriate action has been taken to resolve the issues giving rise to the emergency.

The watch commander will further ensure that a written response is provided to the inmate within five calendar days documenting what action was undertaken to address the situation which gave rise to the emergency. If the inmate is not satisfied with the action(s) taken to address the situation, the inmate must submit an appeal of the Department's action within five calendar days of receipt of the written response. The watch commander shall make the final determination of the resolution of any appeal within two calendar days of receipt of the appeal.

If any portion of an inmate complaint is treated as an emergency, but there is another portion of the complaint that is not deemed to be an emergency, the non-emergent portion shall be treated as such and the non-emergent portion of the complaint shall be subject to the general inmate complaint process and deadlines set forth in other sections of this policy. The portion of the complaint that is deemed to be an emergency will proceed on the timelines set forth in the preceding paragraph.

Jurisdiction of Complaints

If the complaint or request involves conditions or personnel at another facility, the facility receiving the form shall facsimile a copy to the concerned facility's unit commander and mail the original. The concerned facility shall assign the reference number, and be responsible for completing the request.

Any question of complaint jurisdiction within a jail facility shall be determined by the unit commander. Any question of jurisdiction within the Custody Division shall be determined by the Division Chief.

Basic Requests

A basic non-medical or non-mental health request is a request that can be quickly resolved by a custody assistant, deputy, supervising line deputy or sergeant. This type of request does not require a reference number. When feasible, the request shall be handled during the shift in which it is received.

If this is not possible, the watch commander shall be advised and the inmate shall be notified of the reason for the delay. A complaint involving personnel is not considered a basic request and shall be handled as set forth below, under "Personnel Complaint." A basic request may be submitted in any written form.

Requests

All requests other than basic requests must be submitted on the Inmate Request/Complaint Form. The retrieving sergeant shall assign a reference number to these requests. Requests shall be handled by established unit procedures.

Requests of a medical or mental health nature shall be submitted by inmates in a sealed envelope. The sergeant shall immediately deliver, in person, any sealed medical and mental health requests and medical related complaints to a medical sergeant.

Complaints (In General)

A sergeant with the rank of sergeant or above shall investigate all complaints within 15 calendar days of the complaint being filed. Upon completion, the handling sergeant shall complete the "Disposition" section of the Inmate Request/Complaint Form, obtain the inmate's signature on the white and yellow copies, and provide the yellow copy to the inmate (See Inmate Complaint Investigation Handbook for instructions on how to investigate inmate complaints).

If the investigation cannot be completed within 15 calendar days, the handling sergeant shall notify the assigning watch commander and request an additional 15 calendar days to complete the investigation. Upon approval, the handling sergeant shall notify the inmate of this extension.

If, after the extension, the Department has still not completed the investigation, or if an extension was not approved, the watch commander shall inform the inmate in writing that the complaint cannot be completed within the requisite time frame and that the inmate has the right to appeal.

Group Complaints

When individual complaints are submitted by three or more inmates from the same housing location referencing the same or similar complaints, these complaints shall be considered group complaints. A single reference number shall be assigned for each group complaint and applied to each individual complaint form. Each complaint form submitted shall be handled with written notice to the inmate as provided above.

At no time shall the group complaint procedure be used in regards to personnel complaints.

ADA Complaints

Inmates may submit ADA complaints on either the "Inmate Request/Complaint Form" or the "Los Angeles County Sheriff's Department Americans with Disabilities Act (ADA) Complaint Form". If the inmate uses the "Inmate Request/Complaint Form," the "ADA" box on the form should be checked. The posted toll free number may also be used to file a complaint.

Regardless of the form used, all ADA complaints shall be assigned by the watch commander to a sergeant to handle as quickly as possible. If the inmate is requesting

a reasonable accommodation that requires the consultation of medical personnel, the request shall be handed to the appropriate medical personnel. Copies of both resolved complaints with action taken and unresolved complaints are forwarded by the facility administration to the Department ADA coordinator.

Complaints of Retaliation

Any allegation of retaliation by an inmate will be objectively and thoroughly investigated by the Department. Refer to CDM section 5-12/005.05, Anti-Retaliation Policy.

If an inmate submits a complaint alleging retaliation, and such complaint is received by medical personnel, the Complaint/Request Form shall be immediately hand-delivered to the watch commander. The allegation will be documented by the watch commander on a SH-AD-32A, attached to the Request/Complaint Form, and submitted to the unit commander of the concerned facility for review.

The unit commander shall forward a copy of the SH-AD-32A and attached Request/Complaint Form to Internal Affairs Bureau, Internal Criminal Investigations Bureau, and the Office of Independent Review. The Captain of Internal Affairs Bureau will determine which unit will conduct the investigation.

Personnel Complaints

Personnel complaints shall be immediately delivered by the shift sergeant to the watch commander to evaluate the nature and seriousness of the complaint, and to assess the type of response necessary (i.e., immediate or routine).

The watch commander shall assign a sergeant to conduct a preliminary inquiry in order to determine the appropriate method for handling (i.e., handle according to the inmate complaint investigation process or handle via an administrative or criminal investigation). A personnel complaint shall not be handled by the staff member against whom the complaint is directed, and, if possible, not handled by a sergeant who directly supervises the involved personnel.

Form for Requests and Complaints

If an inmate submits a written request or complaint in some other form, the sergeant who retrieves it shall return it to the inmate along with a blank Inmate Request/Complaint Form and provide the inmate the assistance needed to complete the form. Regardless of the format, all complaints shall be recorded and processed as described under the section "Complaints (In General)."

Inmates who are unable to complete a written form because of disability, language barrier, or illiteracy may raise complaints or requests orally, and Department personnel shall ensure that the complaint or request is documented in writing.

Late Submissions

Complaints submitted 15 calendar days after the event upon which the complaint is based shall be considered late and denied. These complaints will receive a disposition code of 50 and closed. Personnel complaints shall not be considered late if the last event complained of occurred within 15 calendar days of the submission date. If the date of submission comes into question, the assigned sergeant shall review the e-UDAL and confirm that the forms had been retrieved on a daily basis. If the forms were not collected daily, an adjustment shall be made to allow for the 15 calendar days.

Personnel complaints submitted 15 calendar days or more after the event upon which the complaint is based will be considered late and denied. Late complaints will be closed in F.A.S.T. with a code 50; however, they shall be thoroughly investigated. The inmate shall be notified that the complaint was submitted late and denied, but that the Department will nonetheless conduct an investigation and take appropriate action in response to the complaint. The decision to conduct any investigation after the expiration of the 15 calendar day deadline shall not invalidate the denial of an untimely complaint or confer any rights on the involved inmate.

Resolution of the Complaint

Once the results of the complaint investigation have been determined, the assigned sergeant shall complete the "Disposition" section on the Inmate Request/Complaint Form. A written response shall be delivered to the inmate generally within 15 calendar days after the submission of the complaint. A written response shall be provided for any approval or denial of a complaint. This requirement shall be satisfied by providing the inmate a copy of the final disposition of the Inmate Request/Complaint Form. Inmates shall sign the original or facsimile copy (if forwarded from another unit) of the Inmate Request/Complaint Form to document receipt of the written response as stated in Title 15 Section 1073, "Inmate Grievance Procedure." However, if the complaint was previously addressed as the result of a court order or other governmental referral, it is not mandatory to summon the inmate for his/her signature.

For complaints relating to inmates that have been released after the submission of a complaint, the assigned sergeant shall note in the "Disposition" section that the inmate has been released. A copy of the disposition should be forwarded to the released inmate's listed mailing address. Once the investigation has been completed and signed by the inmate (if applicable), the Inmate Request/Complaint Form shall be placed into the facility's Inmate Request/Complaint Coordinator's in-box for further processing.

NOTE: The Inmate Request/Complaint Coordinator shall ensure that the receipt of the written response is properly entered in the F.A.S.T. system. The Inmate Complaint

Disposition Data shall be completed on the back of the Inmate Request/Complaint Form.

Complaints From Released Inmates

Inmate complaints received from persons who have been released from custody shall be processed on an Inmate Request/Complaint Form (not a Watch Commander Service Comment Report form) pursuant to Manual of Policy and Procedures, section 3-04/010.05, "Procedures for Department Service Review." Complaints submitted from former inmates shall be subject to the same guidelines, requirements and procedures as a complaint submitted by an inmate in custody.

Referred Inmate Complaints

In the event an inmate is unable to submit a complaint, a complaint may be submitted by a non-involved party (i.e., an inmate's friend, relative, etc.) on behalf of the inmate. Referred inmate complaints shall be processed pursuant to Custody Division Manual section, 5-12/020.00, "Referred Inmate Complaints." Referred inmate complaints shall be subject to the same guidelines, requirements and procedures as a complaint submitted by an inmate in custody.

Conflict Resolution

Sergeants are encouraged to offer the inmate a "Conflict Resolution Meeting" with the employee(s) they are complaining about. A "Conflict Resolution Meeting" between an inmate and personnel is voluntary, and shall be conducted by a sergeant. The purpose of a "Conflict Resolution Meeting" is to further the Department's ongoing effort to encourage respect-based interaction with inmates. Even if the inmate's complaint against personnel is unfounded, a "Conflict Resolution Meeting" may serve as a learning experience for the inmate and personnel.

Certain inmate complaints where there is an indication of significant misconduct are not suitable for conflict resolution, such as excessive force, retaliation, or criminal misconduct. Sergeants should use good judgment in determining whether a "Conflict Resolution Meeting" is appropriate for the circumstances.

Dispositions

Findings resulting from an investigation in response to an inmate complaint depend on whether the complaint is against personnel or a service complaint.

Service complaints shall be resolved with one of the following dispositions:

- Founded. Further action taken (investigation establishes that the complaint is true and that a sergeant has taken appropriate action to remedy the matter),
- Unfounded. No further action (investigation clearly establishes that the complaint is not true and no further Department action is necessary),

- Unresolved (Investigation fails to resolve the complaint, and there is no preponderance of the evidence to either affirm or refute the inmate's complaint. It is within the sergeant's discretion to determine whether any action is necessary or appropriate to address the source of the inmate's complaint).

Inmate complaints against personnel shall be resolved with one of the following dispositions:

- Exoneration (Employee was clearly not involved or incident could not have occurred),
- Employee Conduct Appears Reasonable (The employee's conduct appeared to be in compliance with procedures, policies, guidelines or training),
- Appears Employee Conduct Could Have Been Better (The employee's conduct was in compliance with procedures, policies and guidelines. The complaint could have been mitigated if the employee had employed tactical communication principles or common sense),
- Employee Conduct Should Have Been Different (The employee's conduct was not in compliance with established procedures, policies, guidelines or training),
- Unable to Make a Determination (There is insufficient information to assess the employee's alleged conduct or to identify the employee involved).

Should the inmate complaint investigation result in a disposition that the employee's conduct should have been different, the unit commander shall determine the following course of action:

- Train, counsel, and/or mentor the employee,
- Initiate an administrative or criminal investigation, as appropriate.

Refer to Complaints Against Personnel below for further details about what should be communicated to the complaining inmate.

Appeal Process for Complaints

Appeals by inmates must be submitted within seven calendar days of receiving the written disposition regarding their complaint, or it will be denied. Appeals shall be submitted on the appropriate appeal form. Inmates who are unable to complete a written form because of disability, language barrier, or illiteracy may raise complaints or requests orally, and Department personnel shall assist these inmates in completing the written form.

The appropriate sergeant, an individual different from the initial reviewer (watch commander, medical sergeant, mental health sergeant, or food production sergeant) shall make the final determination of the resolution for the appeal. Inmates shall be advised, in writing, of the disposition of their appeal within 15 calendar days after the submission of the appeal.

If the Department fails to notify the inmate of the disposition of the appeal within 15 calendar days, the inmate's appeal shall be considered denied. The unit commander or his designee, shall review all inmate complaint appeals to ensure a thorough investigation has been conducted and the appropriate disposition has been rendered.

Handling Dispositions of Personnel Complaints

The results of an investigation pertaining to an inmate complaint against personnel shall not be disclosed in any form, including written responses to inmate complaints. The reviewing sergeant shall advise the inmate, in writing, of the disposition of a complaint against any personnel or any results of inquiries pertaining to personnel conduct. The information disclosed to the inmate shall be limited to the following information:

- Acknowledgment of the complaint,
- Statement that the investigation was completed,
- Assurance that the appropriate administrative action has been taken (for complaints that have been resolved as "Employee Conduct Should Have Been Different.").

Note: For the other personnel complaint dispositions, the disclosure shall be limited to the following response: "Your complaint has been thoroughly investigated; however, we were unable to substantiate that (employee's name) violated any of our Department policies and procedures."

When an inquiry into the conduct of any personnel results in the initiation of a unit level administrative investigation, an IAB investigation, or an ICIB investigation, the sergeant conducting the inquiry into the inmate complaint shall complete the "Disposition" section of the Inmate Request/Complaint Form, indicating the disposition as "Unit Level Investigation," "Internal Affairs Bureau Investigation," or "ICIB Investigation."

Retention of Original Inmate Complaints

Pursuant to Custody Division Manual section 4-13/000.00, "Retention of Records," custody facilities shall retain all inmate complaints for five years. Additionally, all inmate requests requiring a reference number shall be retained for five years.

Extensions

The unit commander, or his/her designee, may extend time deadlines for the submission or disposition of a complaint or appeal in the event of an emergency situation or when there is an extended disruption of normal facility operations.

Los Angeles County Sheriff's Department

CUSTODY DIVISION DIRECTIVE

Custody Support Services



CUSTODY DIVISION DIRECTIVE: 12-003

DATE: JULY 25, 2012

ISSUED FOR: CUSTODY DIVISION

INMATE COMPLAINTS AGAINST STAFF

PURPOSE

The purpose of this directive is to establish procedures regarding data collected from the Inmate Complaint/Service Request Forms (SH-J-420) involving Department personnel. The Facility Automated Statistical Tracking System (F.A.S.T.) was designed to capture basic data from inmate complaints. In order to assist the Discovery Unit with Pitchess Motions, F.A.S.T. has now been modified to enable statistical coordinators to enter the names of personnel involved in complaints against staff.

POLICY AND PROCEDURES

Effective immediately, personnel identified through the inquiry of a complaint classified as "Complaint Against Staff", shall be listed in the Disposition Section of the Inmate Complaint/Service Request Form (SH-J-420). Those personnel named in the inmate narrative section of the complaint shall not be entered into F.A.S.T. unless verified by the supervisor assigned to the review.

Unit statistical coordinators shall enter the employee numbers and names of all personnel listed in the Disposition Section into the Inmate Complaint Module within one business day, in accordance with Custody Division Manual section 4-01/025.00, Inmate Assault and Force Reporting in F.A.S.T.

Once the information is entered into F.A.S.T., unit commanders are capable of running a report of those personnel identified in inmate complaints. Unit commanders or above will be the only ones authorized to run this report for their unit or bureau. Any use of this information for counseling, discipline or mentoring purposes shall only be done after a thorough review of the facts surrounding each complaint.

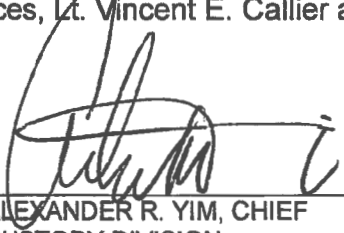
RETENTION

Inmate complaints are to be retained for a period of 5 years in compliance with section 4-13/000.00 Retention of Records of the Custody Division Manual.

The policies and procedures outlined in this directive shall remain in effect until the Custody Division Manual is revised and/or this directive is rescinded.

Questions regarding this directive should be directed by email or phone to Custody Support Services, Lt. Vincent E. Callier at (213) 893-5102.

APPROVED: _____


ALEXANDER R. YIM, CHIEF
CUSTODY DIVISION

ARY:oam

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.11 (IMPLEMENTED)

Statistical data regarding use of force incidents needs to be vigilantly tracked and analyzed in real time by the highest levels of LASD management.

Chief Yim

10/15/12 Response:

The Department has established direct daily reporting procedures for force incidents, to identify potential patterns of conduct by personnel. The process was initially established through the Commanders Management Task Force, and has been incorporated into the regular duties of Custody Division in order to ensure oversight and early warning to potential problems.

Update 12/04/12:

Custody Division facilities report all uses of force incidents to Custody Support Services (CSS) on a daily basis. All incidents are examined regarding their tactics, location, time of occurrence, and personnel involved, for any patterns or issues. All use of force data is reviewed with the Sheriff and Chief every week. In addition, each facility Captain is required to submit a monthly analysis of their use of force incidents to CSS, where each incident is analyzed for historical data, prior use of force incidents, mitigating circumstances, and any training issues. This information is then compiled and reported to Custody Division each month. Custody Division reports the findings of any issues, trends, or concerns to the Sheriff.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.12 (IN PROGRESS)

The Board of Supervisors should provide funding so that the Department can purchase additional body scanners.

Commander Waters

10/15/12 Response:

The Department's Custody Division and the Commanders Management Task Force have received valuable input from numerous correctional agencies throughout the Nation regarding the effectiveness of body scanners. The Department has conducted product analysis and pricing and is in the process of purchasing the body scanners. Your Board will be required to approve the purchase based on existing County protocols.

Update 12/04/12:

Currently, the Department does not have any body scanners; however, we are currently in the procurement process with Internal Services Department to purchase 20 units. The Board approved this purchase with monies identified from the Over Detention Settlement lawsuit. The estimated cost per unit is \$175,000 to \$220,000, with an estimated maintenance cost of 12 percent.

The proposed scanners will be deployed as follows:

Inmate Reception Center	6
North County Correctional Facility	4
Men's Central Jail	3
Twin Towers Correctional Facility	2
Century Regional Detention Facility	1
Mira Loma Detention Center	1
PDC North	1
PDC South	1
PDC East	1

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.1 (IMPLEMENTED)

The Sheriff must be personally engaged in oversight of the jails.

Sheriff

10/15/12 Response:

I have personally reflected on my shortcomings in managing Custody Division. I took immediate action to correct the situation, and personally evaluated all of the jail facilities to verify areas of concern through direct interaction with personnel and inmates. I created the Commanders Management Task Force to inspect every aspect of jail operations, and ensure prompt action and follow-up. I insisted all personnel cooperate with all oversight and critique, and encouraged cooperation with the Commission's investigation, even when the information was not favorable to the Department.

Update 12/04/12:

I meet with Custody Division executives on a weekly basis to monitor the Division's overall use of force, participation in the Education Based Incarceration program, inmate complaint levels, inmate population issues, as well as other custody related topics.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.2 (IN PROGRESS)

The Sheriff must hold his high level managers accountable for failing to address use of force problems in the jails.

Sheriff

10/15/12 Response:

I agree with the Commission's assessment, but am also bound by adherence to laws, policies, and procedures when it comes to matters of formal discipline. I value and respect the Commission's input regarding leadership and accountability, and have ordered formal administrative investigations to determine if there is a factual basis for formal discipline.

I understand the Commission's point regarding the difference between evidence of misconduct, and not getting the job done. I agree that in several instances my senior management failed to keep me informed, or did not perform to my expectations. All of this will be taken into evidence-based consideration at the culmination of the formal investigations, but the outcome will not be influenced by personal or political motivations of anyone.

Update 12/04/12:

The administrative investigations are ongoing.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.3 (IMPLEMENTED)

The Undersheriff should have no responsibility for Custody operations or the disciplinary system.

Sheriff

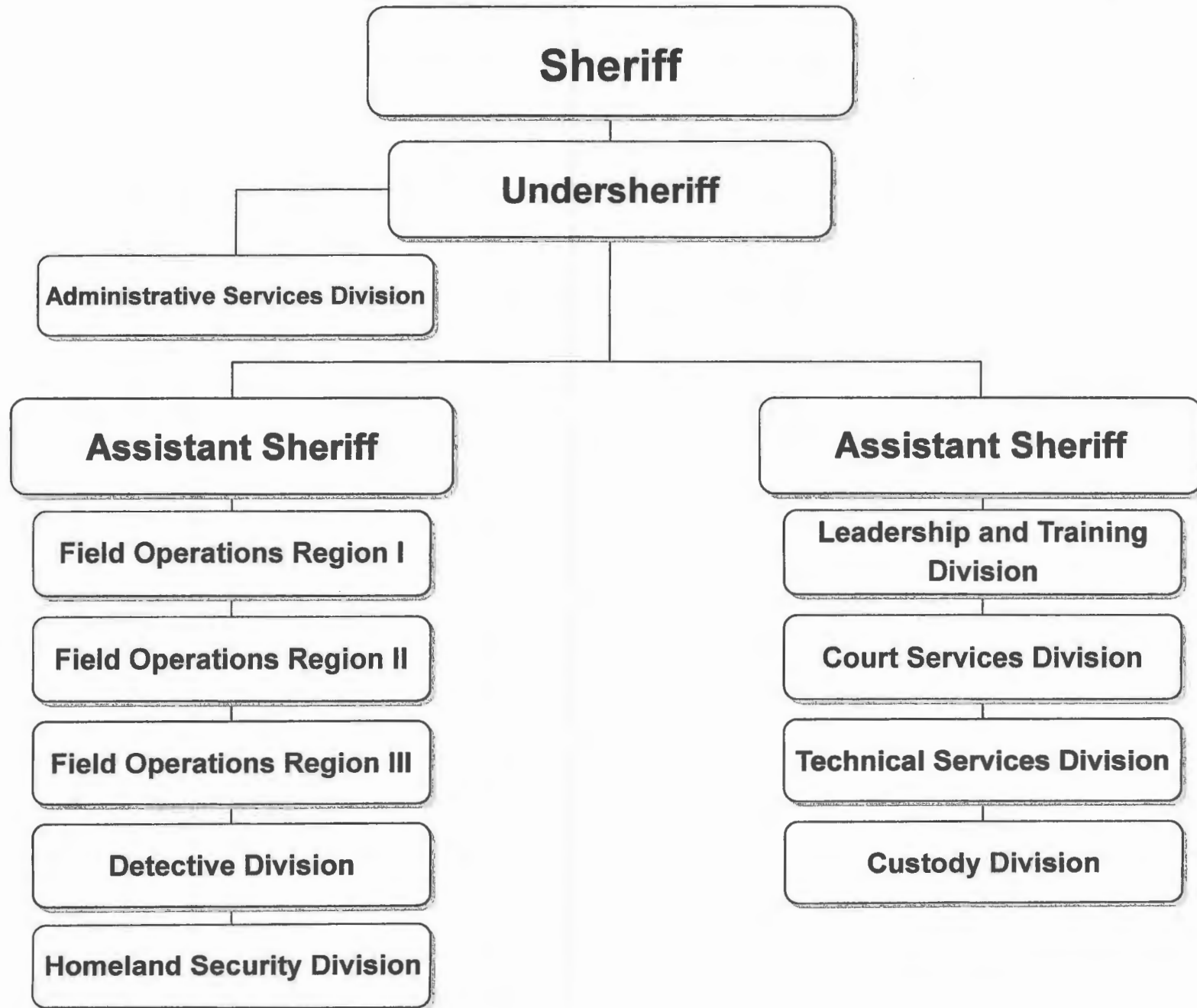
10/15/12 Response:

I have restructured the chain of command. The new Assistant Sheriff over Custody Division will report directly to me. Furthermore, I have restructured Internal Affairs Bureau (IAB) and Internal Criminal Investigations Bureaus (ICIB) directly under the Division Chief (currently Chief Roberta Abner), who will report directly to me.

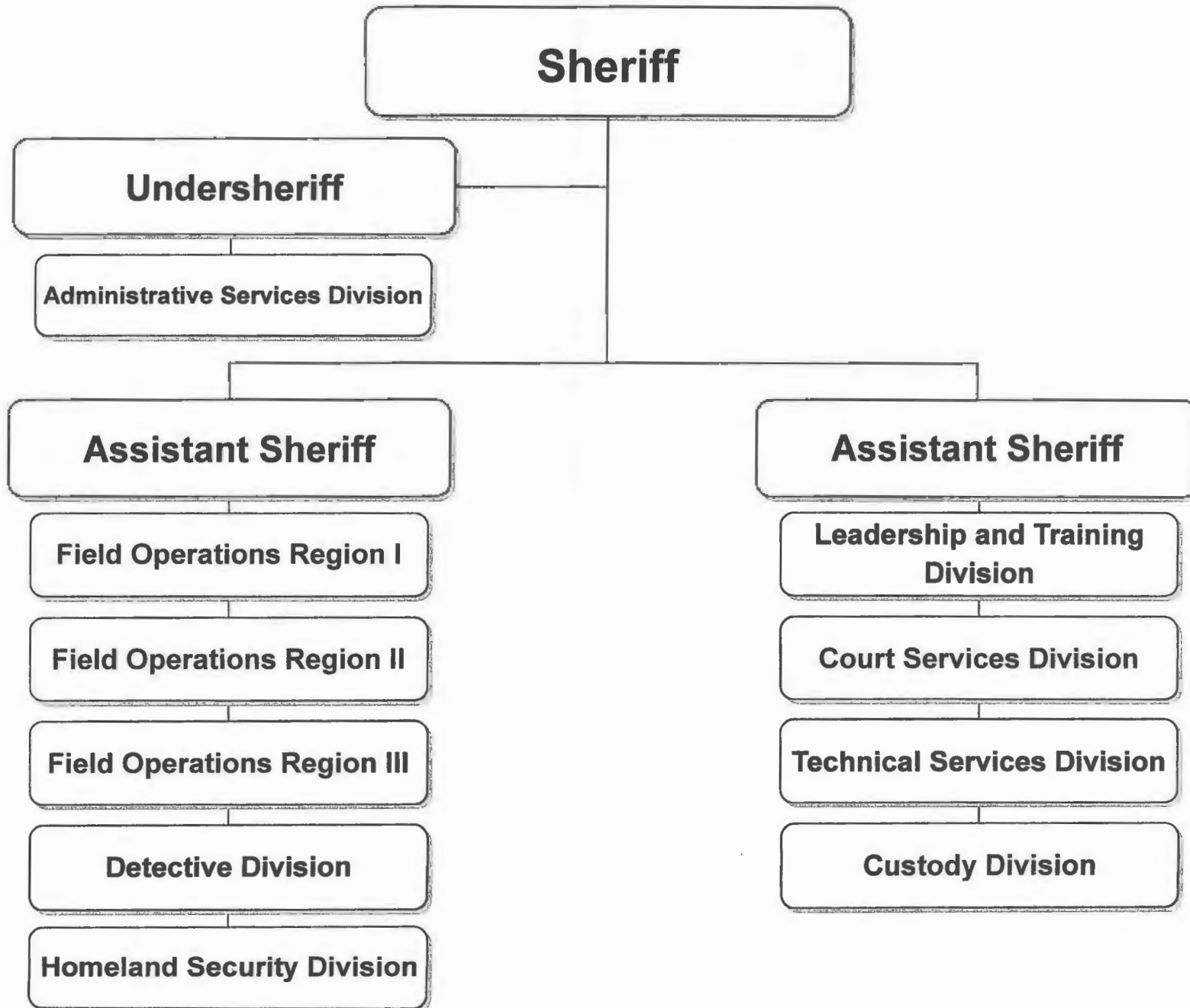
12/04/12 Update:

Please see the attached organizational charts submitted with this update reflecting past, current, and proposed hierarchies as they relate to all of the CCJV recommendations.

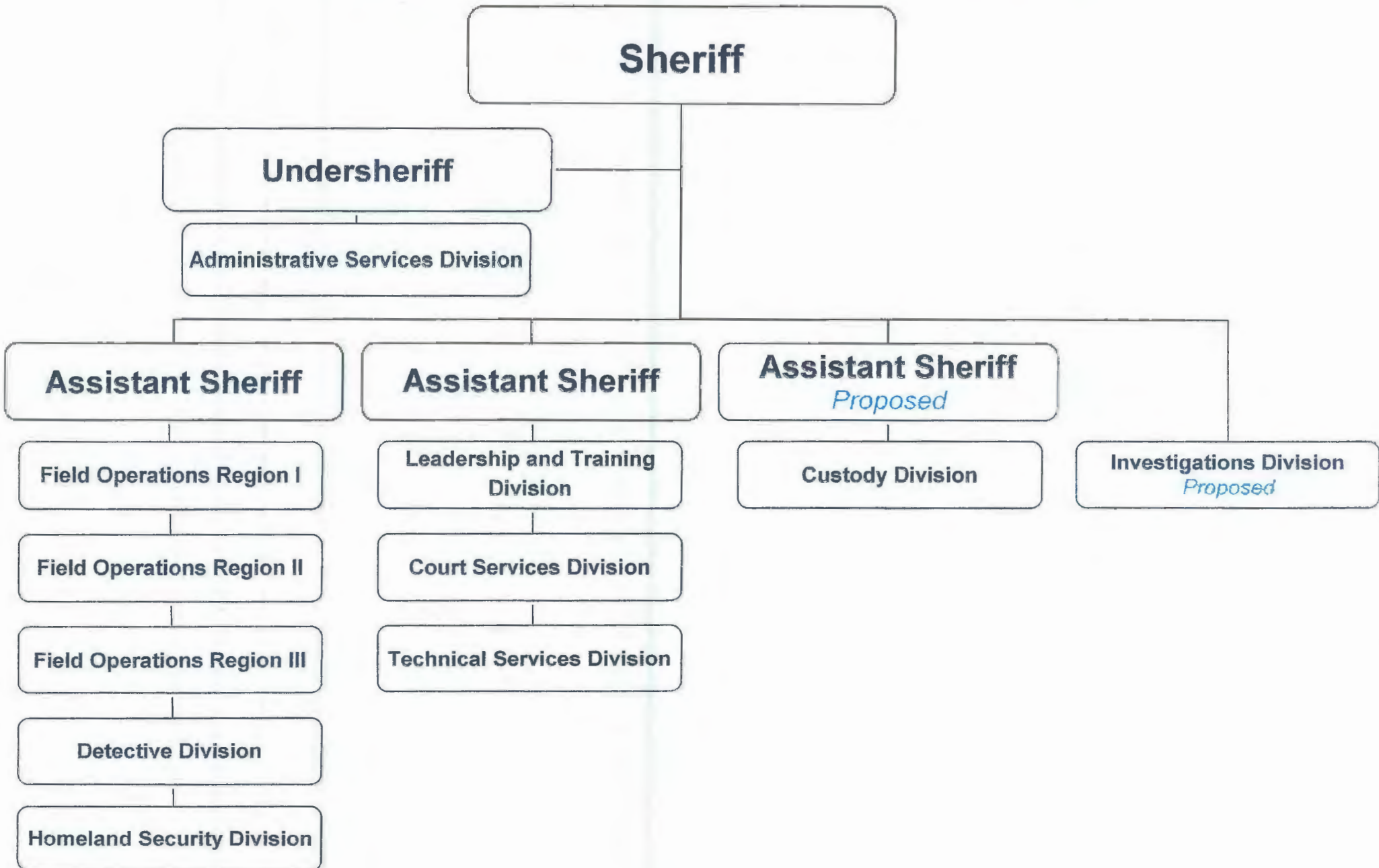
FORMER DEPARTMENT ORGANIZATION CHART



CURRENT DEPARTMENT ORGANIZATION CHART



PROPOSED DEPARTMENT ORGANIZATION CHART



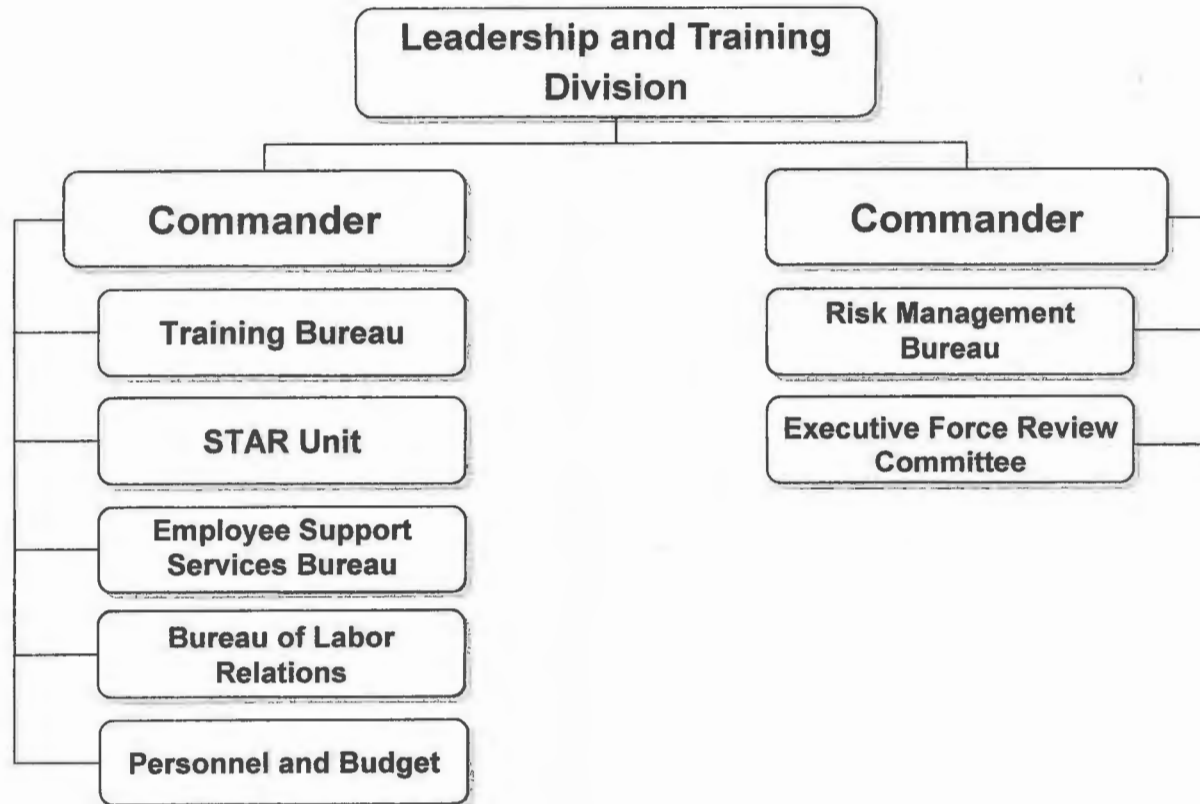
LEADERSHIP AND TRAINING DIVISION

CURRENT DIVISION ORGANIZATION CHART



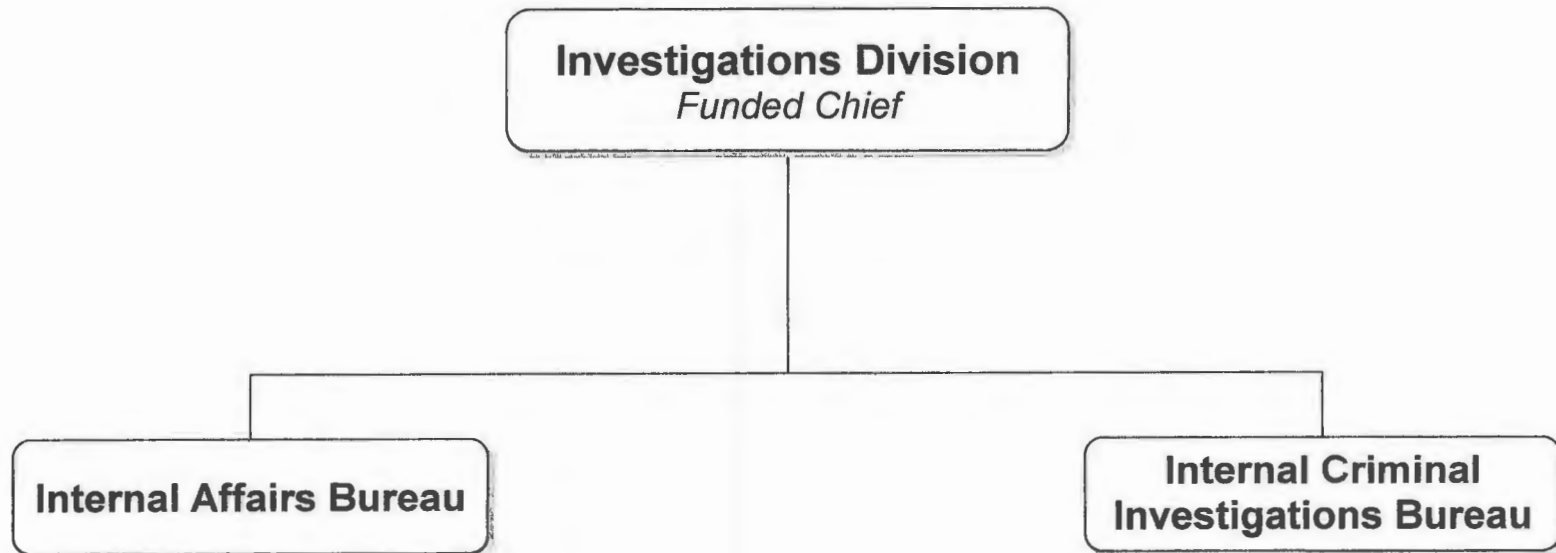
LEADERSHIP AND TRAINING DIVISION

PROPOSED DIVISION ORGANIZATION CHART



INVESTIGATIONS DIVISION

PROPOSED DIVISION ORGANIZATION CHART



STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.4 (FUNDING REQUIRED)

The Department should create a new Assistant Sheriff for Custody position whose sole responsibility would be the management and oversight of the jails.

Sheriff

10/15/12 Response:

I agree and have advocated such a proposal in the past. The Department is currently ordinance for a third Assistant Sheriff position, but requires additional funding from the Board of Supervisors. Additionally, the Department merged Correctional Services and Custody Operations into a consolidated command, under Custody Division (currently Chief Alex Yim).

Update 12/04/12:

On November 1, 2012, the Department submitted a funding request to the Chief Executive Office (CEO) for this recommendation. The Department is working with the Department of Human Resources (DHR) on the hiring process. I have already approved a recruitment announcement, which is posted on the DHR website, and I anticipate the selection process to be completed by the end of the year. Please see attached recruitment announcement submitted with this update.

ASSISTANT SHERIFF—CUSTODY DIVISION Los Angeles County

SELECTION PROCESS

Each candidate's background will be evaluated on the basis of information submitted at the time of application to determine the level and scope of the candidate's preparation for this position. The resume should include any additional information which the candidate wishes to be considered. Only the most qualified candidates, as determined by the screening process, will be invited to participate in the selection process. The names of the most highly qualified candidates will be submitted to the Sheriff for final selection. NOTE: A background investigation will be completed on the candidates recommended for this position.

Highly qualified candidates are invited to submit a statement of interest and a comprehensive resume detailing their demonstrated experience and career accomplishments relevant to this position. Submission should include ALL of the following:

- ◆ Candidate's ability to meet the requirements as stated in the Qualifying Experience & Education and Desirable Qualifications sections of this recruitment announcement.
- ◆ For organizations and programs managed, the name of each employer, job title, size of organization's budget, number and composition of personnel supervised, scope of management responsibilities, functions managed, dates of employment, and current salary.

Please submit resume, cover letter, record of accomplishments, verification of degrees, and current salary information to the following e-mail address:

ExecutiveRecruitment@hr.lacounty.gov

Please indicate the position title of Assistant Sheriff, Custody Division in the subject line of your e-mail. Materials received by December 6, 2012 will receive first consideration. Electronic submittals are preferred.

Confidential inquiries welcomed to:

Bill Dukes

Department of Human Resources

Executive Services Division

Phone: (213) 974-2454

e-mail: wdukes@hr.lacounty.gov

Fax: (213) 613-4773

This announcement may be downloaded from the

County of Los Angeles website at:

<http://hr.lacounty.gov>

SPECIAL INFORMATION

SOCIAL SECURITY ACT OF 2004 — Section 419(c) of Public Law 109-203, the Social Security Protection Act of 2004, requires State and local government employers to disclose the effect of the Windfall Elimination Provision and the Government Pension Offset Provision to employees hired on or after January 1, 2005, in jobs not covered by Social Security. It should be noted that County employees do not pay into Social Security, but do pay the Medical Hospital Insurance Tax portion of Social Security at a rate of 1.45%.

All newly hired County of Los Angeles employees must sign a statement (Form SSA-1945) prior to the start of employment indicating that they are aware of a possible reduction in their future Social Security benefit entitlement. For more information on Social Security and about each provision, you may visit the website at www.socialsecurity.gov, or call toll free (800) 772-1213. Persons who are deaf or hard of hearing may call the TTY number (800) 325-0778 or contact a local Social Security office.

VOLUNTARY STATE AND FEDERAL INFORMATION — Pursuant to state and federal requirements, we are requesting that you voluntarily provide the following information: (1) your race/ethnicity and (2) your gender. This information should be on a separate piece of paper (without your name) attached to your resume. This page will be removed from your resume when it is received, kept confidential, and utilized solely for required statistical purposes.

Recruitment Services
Provided by:



THE COUNTY OF LOS ANGELES IS AN ACTIVE EQUAL OPPORTUNITY EMPLOYER

ASSISTANT SHERIFF—CUSTODY DIVISION Los Angeles County



ASSISTANT SHERIFF - CUSTODY DIVISION

Los Angeles County

Sheriff Leroy D. Baca



Filing Period:
November 9, 2012—Until The Position is Filled

ASSISTANT SHERIFF—CUSTODY DIVISION

Los Angeles County

THE COUNTY

With a population of over 10 million people, the County of Los Angeles (County) has more residents than any county in the nation, and within its boundaries are 88 cities. It is rich in cultural diversity and home to world-renowned museums, theaters, the nation's motion picture industry, major universities, and numerous five-star restaurants. The mountains, deserts, and the beautiful Pacific Ocean, along with some of the world's finest urban recreational attractions, are freeway close.

The County is governed by a five-member Board of Supervisors who are elected on a non-partisan basis and serve four-year terms. As the governing body, the Board of Supervisors (Board) serves as both the executive and legislative authority of the largest and most complex county government in the United States. There are seven appointed positions (Auditor-Controller, Chief Executive Officer, Chief Probation Officer, County Counsel, Director of Children and Family Services, Executive Officer of the Board of Supervisors, and Fire Chief) that report directly to the Board. The remaining 25 department heads report to the Chief Executive Officer. There are also three elected officials (Assessor, District Attorney, and Sheriff), for a total of thirty-five (35) major administrative units or departments that currently serve the needs of the County's residents.

The County's annual budget for fiscal year 2012-2013 is \$24 billion, with funding for over 100,000 positions to serve its diverse population.

THE DEPARTMENT

The Los Angeles County Sheriff's Department (LASD) is the largest sheriff's department in the United States with a staff of over 9,200 sworn and 7,600 civilian personnel. The Sheriff's Department is the principal law enforcement agency for 42 contract cities and 130 unincorporated communities in Los Angeles County. Covering an area of over 3,000 square miles, LASD provides direct law enforcement services for over 4,000,000 residents. The Department operates twenty-three patrol stations and provides law enforcement services and security for forty-eight Superior Court facilities, nine community colleges, and the Metropolitan Transportation Authority.

The Department is also responsible for operating and maintaining the largest jail system in the United States, providing short-term incarceration for all of the County of Los Angeles. The Custody Division is responsible for the operations of the County's jail system which includes seven correctional facilities, a comprehensive Medical Services Bureau, Education Based Incarceration, Food Services, Inmate Services, and Jail Enterprise Units. With a population of approximately 18,000 inmates at any time, the Custody Division provides for the care, custody, security, and rehabilitation of all sentenced and pretrial inmates housed within these facilities.

Our Mission: Lead the fight to prevent crime and injustice. Enforce the law fairly and defend the rights of all. Partner with the people we serve to secure and promote safety in our communities.

THE POSITION

This position reports to the Sheriff, and is responsible for assisting in the administration of the department by providing overall direction, management and evaluation of the Custody Division. The position has executive and administrative responsibility for division operations, programs, and services including operational and program policy development and implementation, personnel administration, budget and fiscal services, program evaluation, contracted services, and staff training. The Assistant Sheriff, Custody Division directs division operations through subordinate managers, assists the Sheriff in creating a culture consistent with the Department's Core Values, exercises effective verbal and written communication skills, and represents the Sheriff's Department and the County of Los Angeles to regulatory and other agencies.



EXAMPLES OF DUTIES:

Plans and implements division-wide policies and methods to improve performance and work procedures necessary to increase efficiency and improve services; confers with the Sheriff in developing policies and procedures and implementing goals of the Department.

Interprets departmental policy to division commanders, assigns duties and responsibilities, and delineates lines of authority; provides division commanders with direction on coordination of services, policy and procedures, and budget and personnel problems. Holds division commanders, supervisors, and staff accountable for division objectives and outcomes, and adherence to departmental policy.

Develops and plans new or revised programs for more effective law enforcement, corrections and detention practices; studies organizational structure and operational methods in order to recommend policies and procedures for maximum efficiency and effectiveness.

Observes the operations of correctional facilities and bureaus to ascertain the efficiency and effectiveness of operations, the morale and discipline of employees and the condition of physical facilities and equipment; conducts studies and reports on anticipated needs for new and expanded facilities and the more efficient utilization of existing facilities.

Evaluates public and inmate complaints pertaining to activities and individuals in the Custody Divisions and directs the investigations and evaluation of complaints; recommends major disciplinary actions to the Sheriff.

Directs the preparation of annual budget requests by division commanders; reviews, evaluates and makes recommendations regarding divisional budget requests; reviews budget performance reports; reviews requests for purchases of major items.

Coordinates the activities of divisions to ensure services provided meet federal, state and local laws and ordinances, regulations and standards.

Coordinates with other law enforcement agencies and other County agencies or departments, may meet with other agencies to discuss matters related to program goals, priorities and costs and reimbursement, meets with representatives of County agencies or departments and other agencies to discuss matters pertaining to procedure, and areas of responsibility and jurisdictions; may give talks and interprets departmental policy to the public and interested agencies.

Advises the Sheriff on policy, program, and organizational issues, and represents the Sheriff as directed.

THE IDEAL CANDIDATE

The ideal candidate will have a strong track record and reputation for leading change in a large and complex organization. The candidate selected will be results oriented, with the ability to meet the department goals and stakeholder expectations, effective in facilitating successful outcomes from a diverse workforce and inmate population.

The candidate will be able to build coalitions internally, and with other agencies and individuals to achieve common goals, and possess the ability to strategically manage human, financial, and information resources.

QUALIFYING EXPERIENCE AND EDUCATION

A Bachelor's degree from an accredited college or university in criminology, psychology, sociology, public administration, business administration, political science or similar field.

Executive experience managing one of the following: a large civilian corrections facility; a separate corrections department in a county or state, or a large corrections or custody division or bureau within a law enforcement agency. Experience must include directing operations with multiple staff levels, diverse inmate populations, and pretrial facilities.

LICENSE AND CERTIFICATE:

A valid California Class C driver's license or the ability to utilize an alternative method of transportation when needed to carry out essential job-related functions.

DESIRABLE QUALIFICATIONS

- Master's degree in criminology, psychology, sociology, public administration, business administration, political science or similar field.
- Successful turnaround experience in a law enforcement organization experiencing operational or managerial challenges.
- Demonstrated success in developing and implementing data tracking, and statistical analysis of large law enforcement data sets.
- Experience in corrections or law enforcement servicing a highly diverse inmate population.
- Professionally active in corrections or law enforcement professional networks, for example, National Institutes of Corrections or the NIC Large Jail Network. Certified Corrections Executive (CCE) or Certified Corrections Manager (CCM) certification from the American Corrections Association.

ASSISTANT SHERIFF—CUSTODY DIVISION

Los Angeles County

COMPENSATION

ANNUAL SALARY: \$177,505 - \$268,669 (MAPP RANGE R20)

This position is subject to the provisions of the County's Management Appraisal and Performance Plan (MAPP). Placement within the range will be commensurate with candidate's qualifications and current salary.

Benefits: The County of Los Angeles provides an excellent benefit package that allows employees to choose benefits that meet their specific needs. The package includes:

- **Retirement Plan** – The successful candidate will participate in a contributory defined benefit plan. The Los Angeles County Employees Retirement Association (LACERA) has reciprocal agreements with several public retirement systems in California.

If the candidate is a "new member" of the County's defined benefit plan (LACERA) on or after January 1, 2013, that person's pensions will be limited under the Public Employees Pension Reform Act (PEPRA). For these purposes, a "new member" is someone who first becomes a member of LACERA on or after January 1, 2013 – that is, someone first employed by the County on or after December 1, 2012 – unless she or he established reciprocity with another public retirement system in which she or he was a member before January 1, 2013. Details on PEPRA will be provided on request.

- **Cafeteria Benefit Plan** – Benefits may be purchased from the MegaFlex Cafeteria Benefit Plan using a tax-free County contribution of an additional 14.5% to 17% of the employee's monthly salary.
- **Non-Elective Days** – 10 paid days per year with the option to buy an additional one to 20 elective annual leave days.
- **Flexible Spending Accounts** – Employees may contribute up to \$400 per month tax-free, to Health Care and Dependent Care Spending Accounts. The County contributes \$75 per month to the Dependent Care Spending Account.
- **Savings Plan (401k)** – Optional tax-deferred income plan that may include a County matching contribution up to 4% of employee's salary.
- **Deferred Compensation Plan (457)** – Optional tax-deferred income plan that may include a County matching contribution up to 4% of employee's salary.
- **Holidays** – 11 paid days per year.



STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.5 (FUNDING REQUIRED)

The Sheriff should appoint as the new Assistant Sheriff over Custody an individual with experience in managing a large corrections facility or running a corrections department.

Sheriff

10/15/12 Response:

The Department agrees that the new Assistant Sheriff over Custody should possess experience in managing a large corrections facility or department. As a Correctional Commissioner for the State of California, I understand and appreciate the specialized knowledge and skills required for running such a large jail population.

Update 12/04/12:

See recommendation 4.4 for status updates on the hiring process.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.8 (IMPLEMENTED)

The Assistant Sheriff for Custody should report directly to the Sheriff.

Sheriff

10/15/12 Response:

The Department agrees that the Assistant Sheriff for Custody should report directly to the Sheriff. Since the inception of the Commission, I have required the Assistant Sheriff to report directly to me, in addition to weekly scheduled executive meetings known as the Sheriff's Executive Planning Council (EPC), consisting of all senior managers at the rank of Division Chief and above.

Update 12/04/12:

See recommendation 4.4 for organizational charts associated with all CCJV recommendations.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.7 (IMPLEMENTED)

The Commanders Management Task Force should not be a permanent part of Custody management.

Sheriff

10/15/12 Response:

The Department agrees that the Commander Management Task Force (CMTF) should not be a permanent part of Custody management. I have directed the CMTF to incorporate its jail reforms into the regular duties of the Custody Division command. I have kept the CMTF intact as an immediate, short-term solution to identify and address deficiencies in all jail operations. At the culmination of the Commission's Final Report and Recommendations, the CMTF will conduct an out-briefing with Custody Division to ensure all of the jail reforms will remain a permanent solution to improve jail operations.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.8 (IMPLEMENTED)

The Sheriff must regularly and vigilantly monitor the Department's use of force in the jails.

Sheriff

10/15/12 Response:

I agree that I must regularly and vigilantly monitor the Department's use of force in the jails. The Commanders Management Task Force has developed a thorough, clear, accurate, and prompt force reporting procedure, which includes daily force numbers and charts. This process has kept me and senior managers aware of force trends, and ensures a prompt response to significant use of force incidents. This format will be passed on to Custody Division at an out briefing, and will continue with the new Assistant Sheriff over Custody.

Update 12/04/12:

I continue to monitor the use of force in the jails by meeting with Custody Division managers on a weekly basis.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.9 (IMPLEMENTED)

The Department should implement SCIF on the Custody side to improve the accountability of jail supervisors.

Chief Yim

10/15/12 Response:

The Department appreciates that the Commission recognizes Sheriff's Critical Issues Forums (SCIF) are currently conducted in Custody Division. The Department is committed to continuing SCIF's and open forums to provide additional quality control, oversight and review throughout the Department.

Update 12/04/12:

In the past, Custody Division has held SCIF presentations on an annual basis. Beginning in September, Custody Division began to hold these large, division-wide meetings on a bi-annual basis to examine the previous six-month and one-year periods. In addition, the Division holds smaller meetings on a monthly basis to insure that concerns are examined and corrective action is taken when appropriate.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.10 (IMPLEMENTED)

Senior management needs to be more visible and engaged in Custody.

Chief Yim

10/15/12 Response:

The Department agrees that senior management personnel need to be more visible and engaged in Custody. From the onset of the jail allegations, I visited every jail facility and directed all senior managers to do the same. I designated Commander Paul Pietrantonio to serve as a Personnel Performance Commander, to specifically walk through jail facilities, both announced and unannounced, to identify and address deficiencies. In addition to informal walks through jail facilities, I have required unit commanders to report back and account for the frequency of their interaction on jail floors at "Inmate Town Hall Meetings," as well as regular attendance at staff briefings and "spot check" inspections.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.11 (FUNDING REQUIRED)

Management staff should be assigned and allocated based on the unique size and needs of each facility.

Chief Yim

10/15/12 Response:

The Department will be requesting funding for additional staffing required to address operational needs of larger units.

Update 12/04/12:

The Department is in the process of conducting a comprehensive assessment of the operations staff for the eight custodial facilities. The assessment will compare each facility and establish a model for allocating administrative staff based on individual facility needs. The Department anticipates the assessment of each jail facility will be completed within 60 days.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.12 (FUNDING REQUIRED)

LASD should create an Internal Audit and Inspections Division.

Sheriff / Commander Guyovich

10/15/12 Response:

The Department agrees and will be seeking funding to create an internal Audit and Inspections Division. The Commanders Management Task Force has already met with the Commission and the Los Angeles Police Department to explore the creation of an internal Audit and Inspections Division. A proposal to create the Sheriff's Inspectional Services Command (ISC) has been prepared, but requires funding from your Board.

Update 12/04/12:

On November 1, 2012, the Department submitted a funding request to the Chief Executive Officer (CEO) and has been engaged in discussions of the proposed staffing levels.

The goal of the ISC is to identify and address potential deficiencies within the Department through audits, inspections, reviews, mentorship, and open forums with personnel at all ranks. The focus of the ISC is to ensure prompt and effective action to strengthen our level of service, while reducing the Department's exposure to liability. The Inspectional Unit's scope will encompass four main areas:

- Internal Command Inspections
- Independent Audits, Inspections, and Review
- Disciplinary Review
- Accountability and Maintenance

Currently, Department's inspections are conducted by individuals throughout the Department as a collateral assignment. The Department is proposing to follow the design of LAPD's Audit and Inspection Division so that all audits and inspections are centralized within one unit; therefore, creating accountability at all ranks.

This new unit will be tasked with inspecting and auditing all of the various units within the Department. The Department has consulted with members of the LAPD to gain insight into the challenges and successes of their Audit and Inspections Division. In addition, the Department has also consulted with the Auditor Controller's office for additional guidance. There are approximately 70 different units that would benefit from this inspection and audit process. It is estimated that each audit would take approximately 30-120 days to complete. The Department is currently reviewing each unit and conducting a risk assessment to determine the priority of inspections.

The Department is discussing proposed initial staffing levels with the CEO. Once the unit is established for a period of time, the Department will be better able to determine the optimum staffing level needed to achieve an appropriate schedule of audits.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.13 (IN PROGRESS)

The Department should have a formal policy to address campaign contributions.

Chief Abner

10/15/12 Response:

The Department has already prepared a policy consistent with the Commission's recommendations. The policy is in its final stages of review.

Update 12/04/12:

The Department is conferring with County Counsel on the proposed policy.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.14 (IMPLEMENTED)

LASD should participate in collaborations such as the Large Jail Network that would enable it to learn about best practices and approaches in other systems.

Chief Yim

10/15/12 Response:

The Department has re-established participation with the National Institute of Corrections, National Jail Exchange (Large Jail Network). The next formal conference will be held March 2013, in Aurora, Colorado. A Custody commander will be designated as the liaison, to participate and report back regarding best practices and information to me and at Custody Division staff meetings.

The Department is also involved with the American Jail Association and the Southern California Jail Manager's Association. In addition, the Department has recently initiated a Force Consortium with other local agencies.

Update 12/04/12:

The Large Jail Network is designed for executive level participation. Department members are scheduled to attend the next meeting in the spring of 2013. Additionally, the Department has organized a consortium comprised of the nine southern California sheriff's departments, which will examine use of force issues, policy, training, and management methodology. The goal is to examine and establish some best practices in these areas. The first session of the consortium is scheduled for February 5, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.1 (IMPLEMENTED)

The Department must continue to implement reforms that emphasize respect for, engagement of, and communication with inmates.

Chief Yim / Commander Fennell

10/15/12 Response:

The Department will continue to expand Education Based Incarceration (EBI), Inmate Town Hall Meetings, and other efforts emphasizing respect for, engagement of, and communication with inmates. The Department appreciates that the Commission also understands the value of progressive programs that encourage respect based interaction between staff and inmates. To date, there have been more than 6,500 participants of EBI. Over the past year, combined attendances at regularly scheduled Inmate Town Hall Meetings have increased to more than 50,000.

Update 12/04/12:

It is the responsibility of each custody facility unit commander or their designee to facilitate Town Hall meetings. Every facility conducts a Town Hall meeting for each housing area at least once a month. Prior to the commencement of a Town Hall meeting, a survey is provided to each inmate in attendance and is collected by the staff at the end of each meeting. If there are specific complaints regarding a quality of life issue, they are entered into the Town Hall Meeting Tracker. All issues derived from the Town Hall meetings are addressed within seven days from the date of the meeting.

The information provided in the Town Hall Meeting Tracker is audited on a weekly basis by staff members from the EBI Bureau. Each facility entry is reviewed for the thoroughness and to ensure that the inmate concerns have been addressed. A report of the top five concerns is generated and provided to each facility captain for review.

Since October 2011, there have been 1,572 Town Hall meetings conducted, and 57,449 inmates in attendance.

The Department also provides all inmates the opportunity to submit complaints, outside of the Town Hall meeting forums. Each housing area has a supply of Inmate Complaint Forms available for the inmate to obtain. The inmate can complete the complaint form, retain the pink copy, and place the complaint in a locked Inmate Complaint Form box, which is collected at least once per shift by the floor sergeant.

The sergeant and medical personnel review all collected complaints. All complaints pertaining to medical requests are collected by medical staff, entered into the tracking system by Medical Services Bureau, and handled to conclusion.

All other complaints are handled by the floor sergeant. Complaints that are easy to resolve, such as linen, clothing, care packets, etc., are immediately handled by the sergeant. Complaints that require additional research are logged into the tracking system, disseminated to the appropriate handling entity, and completed as soon as possible. The

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

yellow copy of the complaint with the complaint disposition is returned to the inmate. The disposition of the complaint is entered into the tracking system.

The Commission recommends that the Department continues to implement reforms that emphasize the respect for and communication with inmates. The Department's EBI Bureau has been established to focus on education within the custodial environment and provide the inmates in our custody the ability to fully capitalize upon the rehabilitative programs and the Department's concurrent efforts to reduce recidivism.

Principles of Education-Based Incarceration:

Assess and evaluate the educational and trade skills of all inmates.

- Develop a learning environment to educate inmates.
- Develop and implement an automated case management information system.
- Strengthen and systemize our partnership with California Department of Corrections and Rehabilitation.
- Develop a structured curriculum.
- Transform the cultural mentality of residents in the communities at large and those housed in our care to support and embrace the principles of EBI.

Under the command of a captain, the EBI Bureau is comprised of several sub-units that address the educational needs of inmates beginning at the first point of contact when they are arrested and information is entered into our booking system, to a point post-release when they are involved in our post-release educational programs.

In the past, the Department's vocational programs did not have an educational component. Our experience has shown that participation in life skills, decision-making, parenting, personal relations, and spiritual growth programs provide the life-changing skills needed to succeed outside of the custodial environment. EBI provides the following inmate programs:

Programs Offered

- Personal Development
- Leadership
- Decision Making
- Critical Thinking
- Relationships
- Conflict Management
- Employment
- Time Management
- Budget Management
- Understanding and Coping with Stress
- Vocational Programming
- General Educational Development (G.E.D.)
- Parenting
- Substance Abuse
- Moral Resonation Therapy

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

- Anger Management
- Communication Skills

The Department's ultimate goal is to transform the culture of the custody facilities and provide a safe, secure learning environment for our personnel and the inmates. To date, there have been more than 7,000 participants in EBI.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.2 (IMPLEMENTED)

The Department's Force Prevention Policy should be stressed in Academy training and reiterated in continuing Custody Division training.

Chief Abner / Chief Yim

10/15/12 Response:

The Department teaches de-escalation techniques in the Academy. The Department has incorporated the Force Prevention Policy into the Academy and Jail Operations training curriculum. Force Prevention will also be included throughout the entire Department in the restructured Use of Force Policy (effective January 1, 2013).

Update 12/04/12:

Currently, the Academy curriculum provides a total of 80 hours of instruction on the Department's Use of Force policy, Defensive Tactics, and Persons with Disabilities.

The Use of Force Learning Domain curriculum includes 12 hours of the following:

- Introduction to Use of Force
- Force Options
- Use of Deadly Force
- Documenting Use of Force
- Concept of Control in Use of Force

The Defensive Tactics Learning Domain curriculum includes 60 hours of the following:

- Principles of Defensive Tactics
- Person Searches
- Controlling Force: Control Holds and Take-down Techniques
- Carotid Restraint Control Holds
- Restraint Devices
- Firearm Retention and Takeaways
- Use of Impact Weapons
- Transporting Prisoners

The Persons with Disabilities Learning Domain curriculum includes six hours of the following:

- Disability Laws
- Developmental Disabilities
- Physical Disabilities
- Mental Illness

The Department's Jail Operations training curriculum includes 32 hours of Use of Force policy and force prevention. An additional 8 hour block of instruction on values based decision-making, respect-based communication, and how to deal with inmates was added to the curriculum, which includes scenarios covering recalcitrant inmates and force prevention policies. The Department has conducted recurrent briefings at each facility to

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

ensure Custody Division employees have been briefed and adhere to the Force Prevention policy.

Due to the fact that the mentally impaired population has increased, the Department felt a need to enhance training in this area to potentially lessen force incidents with mentally impaired inmates. For years, employees received four hours of training on how to cope with mentally-impaired inmates in Jail Operations training which was taught by the Department of Mental Health. The Jail Operations curriculum has expanded by an additional six hours of training taught by the Jail Mental Evaluation Team (JMET).

JMET consists of a team of deputies who are classified as subject matter experts specifically trained to handle mentally disturbed persons. JMET is partnered with a Psychiatric Social Worker II to assist in de-escalating conflicts and ultimately reducing the potential of force incidents. The JMET training staff receives 32 hours of training per year. The training consists of the following:

- Introduction to Mental Illness including signs and symptoms
- Identification and types of mental illness and co-occurring disorders
- Crisis Intervention
- Suicide Prevention and Identification
- Pacific Clinic's conferences once a year on mental illness
- Mental Illness and Law Enforcement Systems (MILES) conference once per year
- Mental Evaluation Team (patrol) ride-alongs
- Patton and Metropolitan Hospital tours.

The primary responsibility of JMET is to identify mentally-ill inmates who are in need of additional attention to address their special needs. JMET responds directly to the housing areas for any requests by staff, which may include, but are not limited to individual assessments (completed twice a week to evaluate care and any unmet needs in general population), provide intervention services, transportation to clinics, and assist in crisis situations (jail extractions, attempt suicides, hunger strikes, etc.).

Effective January 1, 2013, the Force Prevention policy will be mandated throughout the Department in the new Use of Force policy.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.3 (IMPLEMENTED)

The Department should enhance its ethics training and guidance in the Academy as well as in continuing Custody Division training.

Chief Abner / Chief Yim

10/15/12 Response:

The Department has added two additional weeks at the end of the Academy to enhance its ethics training and guidance. More specifically, recruits will be taught the principles of Constitutional Jailing, Constitutional Policing, and Procedural Justice. This will be reinforced during Custody Division training, as well as Department-wide training, through the Deputy Leadership Institute. Furthermore, personnel will not only learn *Our Core Values*, but be held accountable for Policy and Ethics violations in conflict with *Our Core Values*.

Update 12/04/12:

Please see the attached flow chart depicting the additional training added to the academy and jail specific classes.

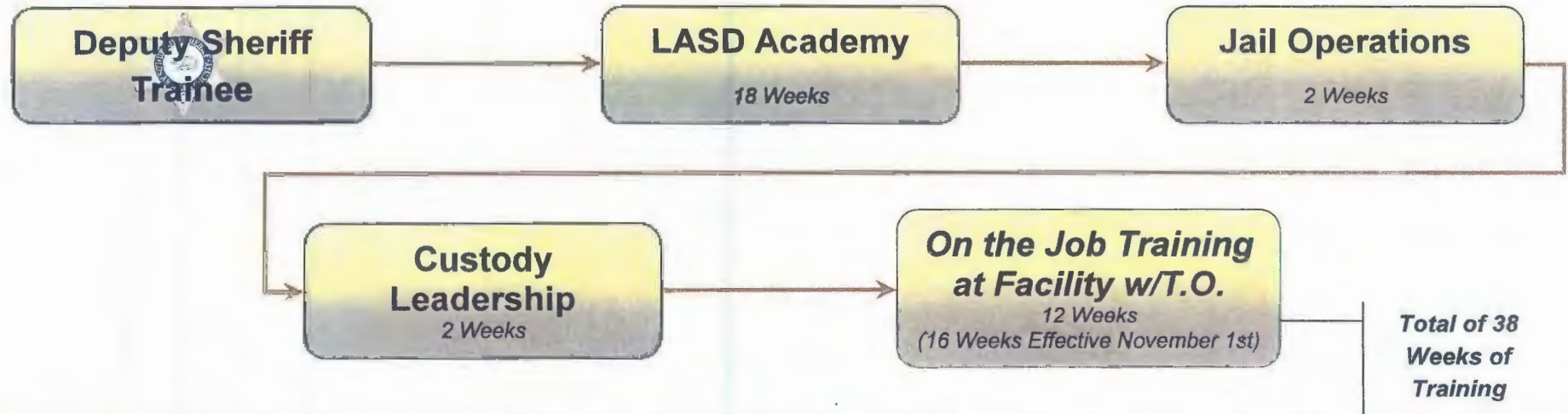


Los Angeles County Sheriff's Department

Training Mandate for New Recruits Within the Department

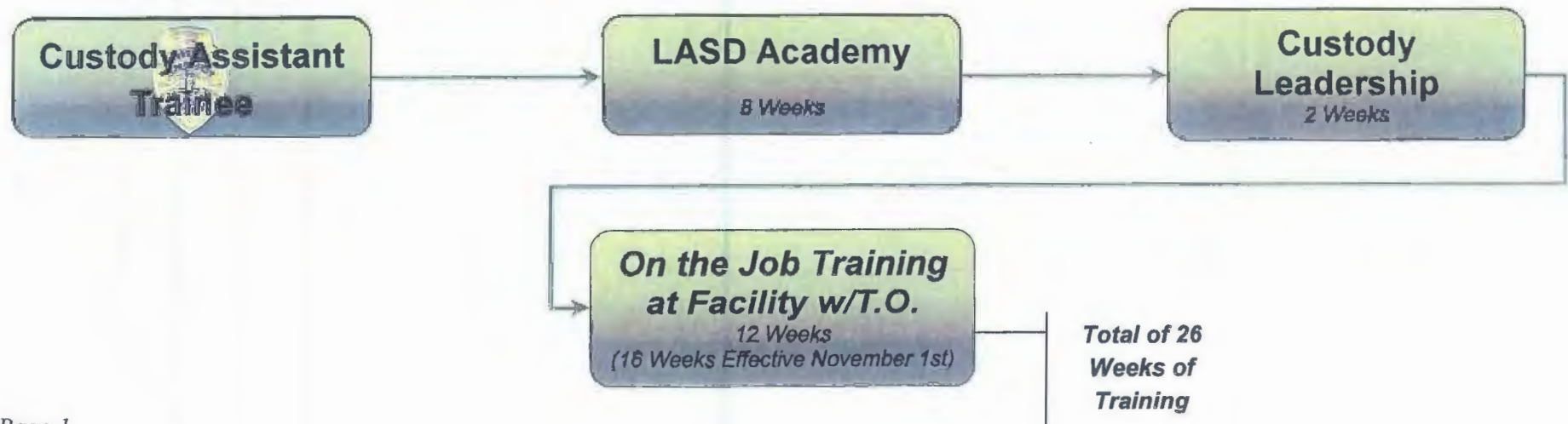
Deputy Sheriff

Please refer to page 2 to view the specific training provided to each trainee.



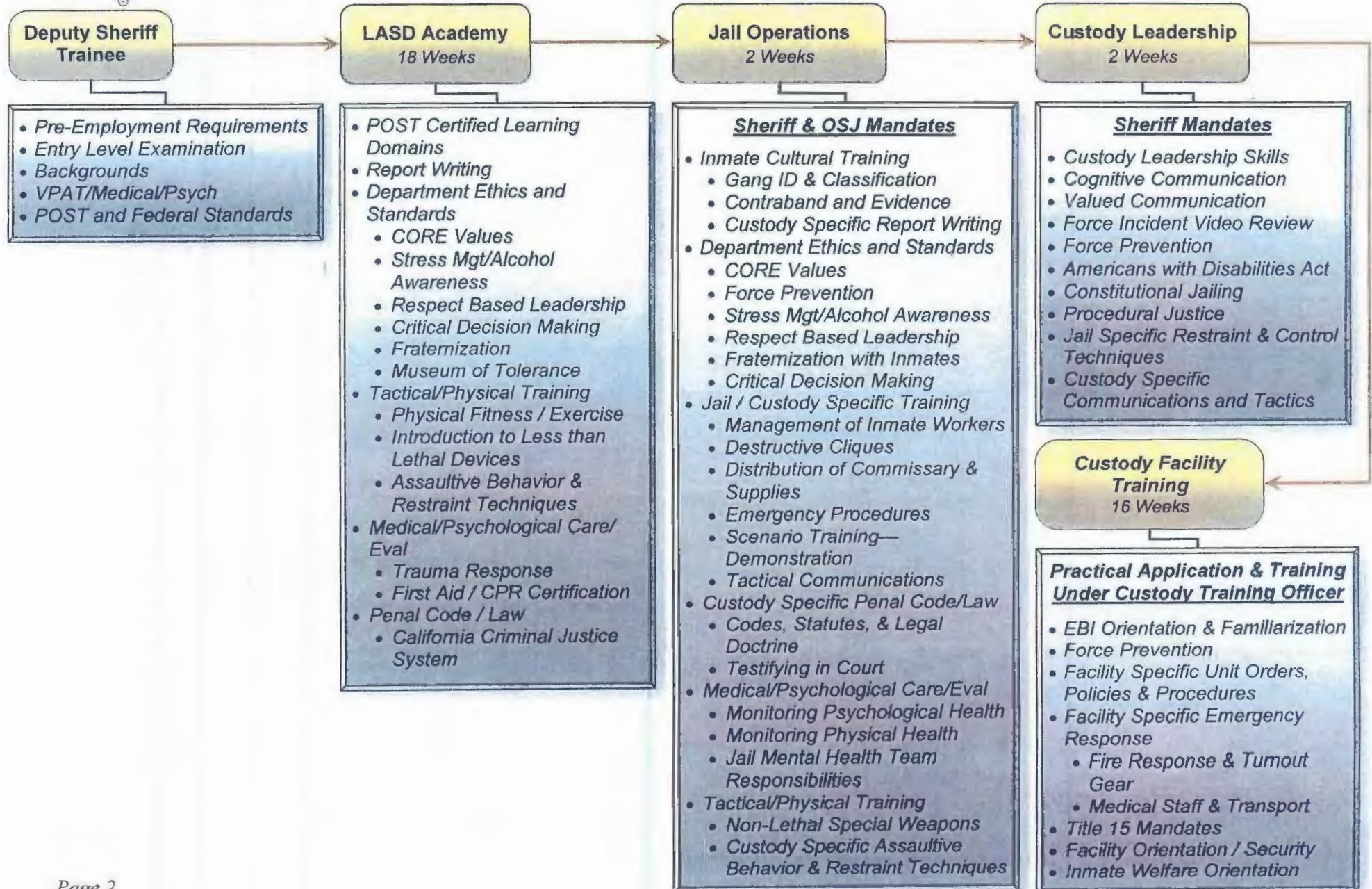
Custody Assistant

Please refer to page 3 to view the specific training provided to each trainee.



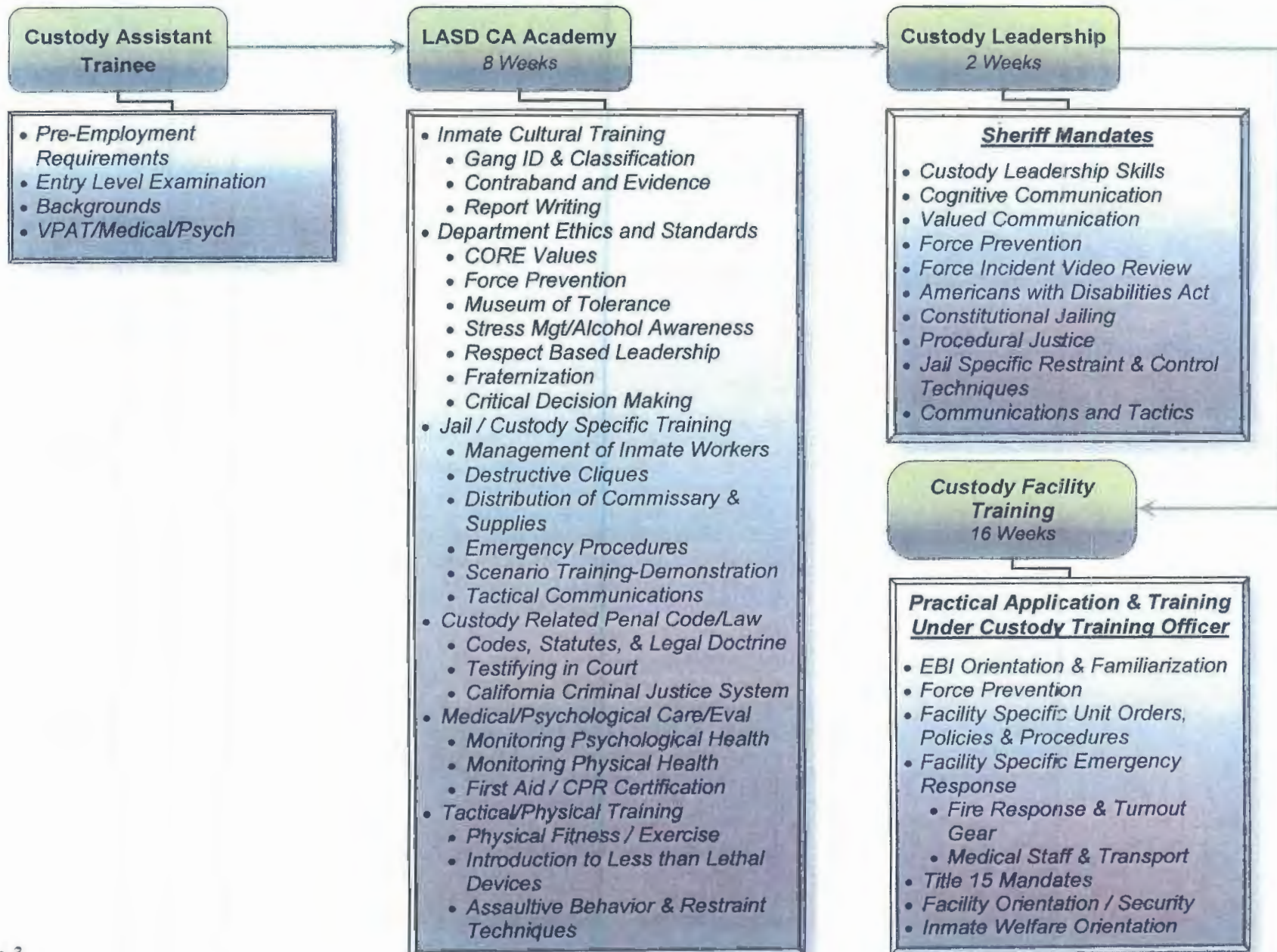


Training Mandate for New Deputy Sheriff Trainees





Training Mandate for New Custody Assistant Trainees



STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.4 (IN PROGRESS)

The Department must make Custody a valued and respected assignment and career.

Chief Yim / Commander Fennell

10/15/12 Response:

The Department has drafted a proposal for a "Dual Track Career Path" (DTCP). The proposal centers on staffing the jails with personnel who are better suited in skills, personalities, and desire to serve permanently in a Custody assignment. The proposal would also benefit those deputies who choose to serve in patrol, since they would not be required to serve a long tenure in the jails, unless they specifically desired to do so.

The proposal was presented to the Board of Supervisors' Public Safety CARs meeting on February 8, 2012. The proposal is currently being considered by the employee associations (ALADS and PPOA), and is subject to additional reform based on the best interest of the public, the Department, and its employees.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.5 (IMPLEMENTED)

Senior leaders must be more visible in the jails.

Chief Yim

10/15/12 Response:

I have directed that all jail captains regularly attend and conduct Inmate Town Hall Meetings, as well as become directly engaged with staff, inmates, and independent oversight at each facility. This directive has been followed up with an accounting for the frequency of captain and supervisory attendance at Inmate Town Hall Meetings, training, and briefing.

The information will be permanently reviewed by the Custody Division chief and the assistant sheriff over Custody.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.6 (IN PROGRESS)

LASD must have a firm policy and practice of zero tolerance for acts of dishonesty that is clearly communicated and enforced.

Chief Abner

10/15/12 Response:

Law enforcement officers must be held to the highest standard of honesty and integrity, and that standard must be continually communicated. The Department will continue to emphasize the principles clearly stated in *Our Core Values*, as well as reinforce the Department's "zero-tolerance" for dishonesty. To accomplish this, the Department will require all unit commanders to conduct in-service briefings reminding personnel of the Discipline Schedule for Dishonesty. To ensure this is accomplished in a timely manner, these briefings will be conducted in concurrence with the signed admonition for the restructured Use of Force Policy, to be completed by December 31, 2012.

Update 12/04/12:

The Discipline Guidelines have been revised and submitted for approval. Employee unions will be notified and provided an opportunity to respond.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.7 (IN PROGRESS)

The Department should have a sensible rotation policy to protect against the development of troubling cliques.

Chief Yim

10/15/12 Response:

The Department and has already implemented a Mandatory Rotation Directive. Implemented on February 17, 2012, the Directive provides a reasonable exception for "positions that require additional training or experience that may affect the effectiveness of their command. These key positions shall be reported annually to the chief of Custody Division."

To ensure compliance with this Directive, unit commanders are required to retain their rotation records for at least two years.

Update 12/04/12:

The Sheriff's Department will work with the Implementation Monitor to assemble a working group of personnel to pilot rotations within and among proximate facilities to assess the viability of implementing such a policy. In order to ensure cooperation from the employee unions, participation in the pilot program will be voluntary.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.8 (IMPLEMENTED)

LASD should discourage participation in destructive cliques.

Chief Abner / Chief Yim

10/15/12 Response:

As the Commission points out in its Final Report, the Department cannot prohibit discretionary decisions with personnel to associate with each other, but it will remain vigilant to prohibit the use of Department resources and time in any activity contrary to the Department's Mission and Core Values. This will be accomplished by ensuring supervisors and managers are continually monitoring the workplace, and documenting activities in conflict with the Department's Mission and Core Values. The Department will also incorporate a formal lecture during the extended Jail Operations and Ethics Training, specifically discouraging participation in destructive cliques. Additionally, "spot checks" and inspections will be conducted by senior managers and by the Inspectional Services Command (ISC) currently being proposed.

The Commission's concerns regarding visible tattoos associated with deputy cliques is addressed through a clear policy, summarized by this excerpt from Manual of Policy and Procedures Section 3-01/050.80: *"While on duty and wearing any Department-approved uniform or appropriate business attire, members are prohibited from exhibiting any tattoo, branding, or other form of body art that may be seen by another person."*

Update 12/04/12:

Effective October 22, 2012, with Jail Operations Class #390, the Department incorporated a formal lecture specifically discouraging participation in destructive cliques.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.1 (IN PROGRESS)

The Department should review and revise its personnel and training policies and procedures to reflect Custody's status as a valued and important part of the Department.

Chief Yim / Commander Fennell

10/15/12 Response:

The Department agrees in concept. It is my desire to create a fully staffed Custody Training Bureau under the leadership of the Custody Division Chief or the newly appointed Custody Division Assistant Sheriff position, in an effort to fulfill the Commission's training mandates. To accomplish this task the appropriate funding is necessary from the Chief Executive Officer (CEO). The American Civil Liberties Union (ACLU) concurs with this configuration.

In addition, the Department has submitted the Dual Track Career Path (DTCP) proposal to the CEO for approval. The DTCP will permit non-patrol trained deputy sheriffs assigned to Custody Division the opportunity to promote within Custody Division to the rank of Division Chief. The DTCP will also allow deputy sheriffs the flexibility to select a career path in Custody Division or Field Operations/Detectives. The DTCP will provide value and a career path for personnel assigned to Custody Division.

Update 12/04/12:

The Department is in the process of revising its supervisory selection process for newly promoted supervisors. Historically, the Department permitted each custody captain to select their top two choices, then allowed Field Operations, Courts Services and Detective Divisions to select their supervisors with Custody Division receiving the remaining supervisors. As we move forward, Custody Division will have an equal voice in the selection of newly promoted supervisors. This will be accomplished by permitting Custody Division to immediately select a replacement if a vacancy is identified instead of waiting until other divisions fill their vacancies with Custody Division receiving the last selections.

The Department's policy and practice allows custody sergeants to promote to the rank of custody lieutenant without having to transfer to field operations first. The perception, however, is the Department does not practice this policy. The Department will ensure supervisory personnel are aware that they can, and will, be promoted in Custody Division without having to transfer to Field Operations Division first.

In addition, the Department has submitted the DTCP proposal to the CEO for approval. The DTCP will permit non-patrol trained deputy sheriffs assigned to Custody Division the opportunity to promote within Custody Division to the rank of Division Chief. The DTCP will also allow deputy sheriffs the flexibility to select a career path in Custody Division or Field Operations/Detectives. The DTCP will provide value and a career path for personnel assigned to Custody Division.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.2 (IMPLEMENTED)

The Department should develop and implement a long-range and steady hiring plan based upon normal attrition.

Assistant Division Director Dragovich

10/15/12 Response:

The Department's Personnel Administration Bureau has forecasted a consistent hiring strategy for the next five years based upon the Department's current financial allocations. However, if the Chief Executive Officer (CEO) implements a fiscal reduction in the Department's budget, the hiring strategy will require adjustments according to financial restraints.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.3 (IN PROGRESS)

Deputies and supervisors should receive significantly more custody specific training overseen by the Department's Leadership and Training Division.

Chief Yim / Commander Fennell

10/15/12 Response:

I have mandated an additional two-week custody specific training curriculum for new deputies; this curriculum is in addition to the two-week Jail Operations class. Under the Department's current training mandates, following this classroom curriculum, deputies must complete an additional 12 week training course under the supervision of an experienced and well respected custody training officer at their respective facilities. Therefore, the custody training for new deputies actually totals 16 weeks.

In addition to the 16 weeks noted above, the Department is increasing specific facility training from 12 weeks to 16 weeks. This will enhance the actual custody training for new deputies to a total of 20 weeks.

The Department is also increasing training for custody supervisors from 8 hours to 40 hours.

Furthermore, it is my desire to create a fully staffed Custody Training Bureau under the leadership of the Custody Division Chief or the newly appointed Custody Division Assistant Sheriff position. To accomplish this task the appropriate funding is necessary from your Board. The American Civil Liberties Union "ACLU" concurs with this configuration.

Update 12/04/12:

The Department agrees in concept with the CCJV recommendation regarding the inception of a Custody Training Bureau (CTB); however, we feel the best practice would be to adhere to the industry standard, and assign the CTB within the command structure of the Custody Operations Division. The Department has met with members of the American Civil Liberties Union (ACLU) who concurred with this configuration.

The Department's view is shared by experts cited in the CCJV report that "corrections is its own separate profession" and, "Patrol and jail work are two very different disciplines." The command structure of Custody Operations Division, overseen by the Custody assistant sheriff will ensure that custody is not unnecessarily influenced by field operations.

The State of California utilizes two separate and unrelated entities to oversee law enforcement training; the California "Commission on Peace Officer Standards and Training" (POST) is responsible for the certification and recurrent training of police officers, while the "California Department of Corrections and Rehabilitation - Standards and Training for Corrections" oversee the training of local and State correctional officers throughout the State.

With respect to "significantly more custody specific training" - new deputies will receive an additional two weeks of custody training, specific to the correctional environment. The

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

curriculum is in addition to the two-week Jail Operations class. Under the Department's current training mandates, following this classroom curriculum, deputies must complete an additional 12 week training course under the supervision of an experienced and well respected custody training officer at their respective facilities. Therefore, the custody training for new deputies total 16 weeks.

Recently, the Department has increased specific facility training from 12 weeks to 16 weeks. This has expanded the actual custody training for new deputies to a total of 20 weeks, which exceeds regional sheriff's departments in Southern California.

The following Southern California sheriff's departments were surveyed. The listed agencies each utilize a specific custody training bureau, under the command of their respective correctional operation divisions, which instruct custody orientation and mandated recurrent training.

Sheriff's Department	Custody Training for New Deputies
Los Angeles County	20 Weeks
Imperial County	12 Weeks
Kern County	6 Weeks
Orange County	4 Weeks
San Bernardino County	6 Weeks

The following agencies' field and custody training units are combined with subject matter experts assigned respectively to field and custody operations.

Sheriff's Department	Custody Training for New Deputies
Riverside County	8 Weeks
Santa Barbara County	16 Weeks
Ventura County	4 Weeks

POST mandates two hours of custody specific training in the Basic POST Certified Academy. The table below shows the current custody specific academy training and academy attrition rates for Southern California agencies.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Sheriff's Department	Basic Academy Custody Training	Academy Attrition Rates
Los Angeles County	18 Week Academy – 4 Hours Custody	18%
Imperial County	9 Week Correctional Academy	33%
Kern County	14 Week Correctional Academy	15%
Orange County	26 Week Academy – 4 Hours Custody	17%
Riverside County	9 Week Correctional Academy	20%
San Bernardino County	23 Week Academy – 4 Hours Custody	10%
Santa Barbara County	4 Week Correctional Academy	0%
Ventura County	3 Week Correctional Academy	30%

Custody supervisor training has increased from 24 hours to 40 hours, effective October 2012.

See recommendation 5.2 for status updates in regards to training for mentally ill inmates

The Department is working with the CEO to identify funding for the proposed CTB.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.4 (IMPLEMENTED)

There should be a meaningful probationary period for new deputies in Custody.

Chief Yim / Commander Fennell

10/15/12 Response:

All custody facility Unit Commanders are required to schedule face-to-face meetings with custody personnel prior to the end of their probationary period. Outlined in this meeting, Unit Commanders are mandated to discuss the following topics; Department's Core Values, Department's Mission Statement, Constitutional Jailing, Procedural Justice, and their probationary evaluation to ensure personnel fully grasp the importance of their career responsibilities. A checklist form outlining the respective topics will be included in the probationary training packet.

Update 12/04/12:

On October 15, 2012, the Department implemented a new Custody Division Directive, 12-005, to address the concerns of the CCJV. The directive established procedures regarding the documentation of the probationary period with all new custody personnel.

Custody Division unit commanders are required to schedule face-to-face meetings with custody personnel prior to the end of their probationary period. Outlined in this meeting, unit commanders are mandated to discuss the following topics; Department's Core Values, Department's Mission Statement, Constitutional Jailing, Procedural Justice, and their probationary evaluation to ensure personnel fully grasp the importance of their career responsibilities.

A checklist outlining the respective topics will be included in the probationary training packet. A copy of the directive is attached with this status update.

The CCJV expressed concern the Department was not adequately vetting probationary personnel during the probationary period who may present disciplinary problems to the Department in the future. The CCJV stated the industry standard probationary employee attrition rate was between 10 and 25 percent. The Department contacted the below indicated agencies to capture their probationary period attrition rate from 2010 to 2012.

Sheriff's Department	Probationary Attrition Rate
Los Angeles County	5%
Imperial County	0%
Kern County	5%
Orange County	0%
San Bernardino	10%
Santa Barbara	0%
Riverside County	0%
Ventura County	0%

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

See recommendation 6.3 for the academy attrition rate for the aforementioned sheriff's departments.

The Department believes the CCJV most likely merged the academy and probationary attrition rates of the law enforcement agencies they contacted to formulate their conclusion.

Los Angeles County Sheriff's Department

CUSTODY DIVISION DIRECTIVE

Custody Support Services



CUSTODY DIRECTIVE: 12-005

DATE: OCTOBER 15, 2012

ISSUED FOR: CUSTODY DIVISION

PROBATIONARY PERIOD FOR CUSTODY PERSONNEL

PURPOSE

The purpose of this directive is to establish procedures regarding documenting the probationary period of custody personnel.

POLICY AND PROCEDURES

The Commander Management Task Force (CMTF) researched the protocol for newly assigned custody personnel who successfully complete the probationary period. Currently, the respective training sergeant from each facility meets with probationary personnel and provides a detailed assessment of the employee's performance. This is memorialized in a probationary evaluation, which signifies the end of the probationary period.

The Citizens' Commission on Jail Violence (CCJV) recommended the Department implement a meaningful probationary period for custody personnel. The Department agrees with the recommendation.

The CMTF recommend altering the current procedures and implementing a consequential probationary period. The facility training protocol will remain in-tact; however, at the completion of the employee's sixth month of assignment, the shift sergeant shall conduct an assessment of the employee's performance, which will be documented in a memorandum. If the employee's performance is substandard, the sergeant and the shift lieutenant will request remediation with the approval of the Unit Commander. If the Unit Commander determines that the employee's performance is not satisfactory, then normal protocols to address their failure to complete the probationary period will be followed. Upon successful completion of the remediation, the sergeant or lieutenant shall document the necessary information in a memorandum.

Prior to the employee's one year anniversary the Unit Commander or designee shall schedule a face-to-face meeting to discuss the following topics:

- Core Values
- Mission Statement
- Constitutional Jailing
- Procedural Justice
- Probationary Evaluation

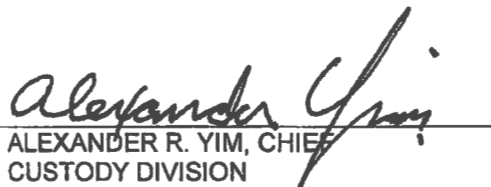
A checklist form outlining the respective topics must be included in the probationary training packet. If the Unit Commander or the designee is satisfied with the employee's responses, the Unit Commander shall draft a memorandum to memorialize the employee's successful completion of the probationary period.

RETENTION

The policies and procedures outlined in this directive shall remain in effect until the Custody Division Manual is revised and/or this directive is rescinded.

Questions regarding this directive should be directed by email or phone to Custody Support Services, Lt. Vincent E. Callier at (213) 893-5102.

APPROVED:


ALEXANDER R. YIM, CHIEF
CUSTODY DIVISION

ARY:mda

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.5 (FUNDING REQUIRED)

The number of supervisors to deputies should be increased and the administrative burdens on Custody supervisors should be minimized.

Chief Yim / Commander Fennell

10/15/12 Response:

The Department has submitted a request to the Chief Executive Officer (CEO) for 10 lieutenants and 101 sergeants to be added to Custody Division.

Update 12/04/12:

The current number of supervisors in Custody Division is critically low. Administrative burdens on the current supervisors diminish their ability to actively supervise the line staff. Custody Division unit commanders were requested to conduct a supervisory assessment of their respective facility and provide a suitable number of lieutenants and sergeants that they deemed critically necessary, in order to fulfill the obligations of their responsibilities. These additionally requested items would be deployed directly to the line positions, covering a 24-hour operation, throughout Custody Division as follows:

<u>Facility</u>	<u>Lieutenant</u>	<u>Sergeant</u>
Men's Central Jail	1	20
Twin Towers Correctional Facility	1	21
Century Regional Detention Facility	0	7
North County Correctional Facility	0	14
PDC East Facility	0	6
PDC South Facility	0	9
PDC North Facility	0	5
Inmate Reception Center	0	10
Mira Loma Detention Center	0	6
Transportation Services	0	3
Totals	2	101

In order to accomplish this goal, the Department has submitted an appropriate funding request to the CEO for 2 lieutenants and 101 sergeants to be added to Custody Division.

The Department's original response requested ten lieutenants. That response included funding for eight additional Risk Management lieutenants, at each custody facility to relieve line lieutenants of the administrative burden caused by the overload of paperwork. The request for those eight items is now covered solely in Recommendation 7.8.

The number of supervisors requested is critically necessary; nevertheless, the funding request does not provide Custody Division with an ideal supervisory staffing model. Active supervision, in the appropriate ratios, can make a significant impact on incidents of jail violence.

See the tables below for Department supervisory staffing levels Department wide, in Custody Division, and proposed for Custody Division.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Department Wide Deployment

	Captain	Lieutenant	Sergeant	Deputy
Department Wide	68	379	1316	8466

Captain to Lieutenant	1:6
Lieutenant to Sergeant	1:3
Sergeant to Deputy	1:6

Current Custody Deployment

	Captain	Lieutenant	Sergeant	Deputy	CA
Custody Facilities	8	57	191	2,226	1,061

Captain to Lieutenant	1:7
Lieutenant to Sergeant	1:3
Sergeant to Deputy	1:12
Sergeant to Deputy / CA	1:17

Proposed Custody Deployment

	Captain	Lieutenant	Sergeant	Deputy	CA
Custody Facilities	8	57	191	2,226	1,061
Requested Items	0	10*	101	0	0
Total	8	67	292	2,226	1,061

* Includes Risk Management Supervisors in recommendation 7.8

Captain to Lieutenant	1:8
Lieutenant to Sergeant	1:4
Sergeant to Deputy	1:8
Sergeant to Deputy / CA	1:11

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.8 (IN PROGRESS)

The Department should allow deputies to have a career in Custody and take steps in the interim to decrease the length of new deputy assignments to Custody.

Chief Yim / Fennell

10/15/12 Response:

The Department has changed its procedures which previously mandated that deputies transfer to patrol, by currently allowing unlimited annual extensions in Custody Division. Deputy personnel who do not desire to transfer to patrol are afforded the option to submit annual extensions to Custody Division Headquarters. Upon approval of their request, deputies are permitted to remain in Custody Division. In time, this policy change will significantly reduce the length of time in Custody Division for sworn personnel who desire to transfer to Patrol.

If the Dual Track Career Path (DTCP) is approved by the Board, deputies who do not have an interest in patrol will be excluded from submitting patrol transfer requests.

The Department is in the final stages of conducting an assessment and evaluation of duty statements from each position at every custody facility to determine which job classification (sworn personnel or custody assistant) is best suited to handle the functional operation of that particular position.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.7 (IN PROGRESS)

The Department should utilize more Custody Assistants

Chief Yim / Commander Fennell

10/15/12 Response:

As stated in the response section of recommendation 6.6, the Department is conducting an assessment of positions within Custody Division. Preliminary information has shown that the line personnel positions in Custody Division are substantially understaffed. If the Department can maintain its current compliment of sworn personnel and increase its compliment of custody assistants by approximately 160 positions, this would enhance the level of service in our jail facilities and afford the Department the resources to provide our inmates with the opportunity for additional programming. It has been documented through the Rehabilitation surveys, which are issued at every Town Hall meeting, that our inmate's second highest request is additional inmate programming.

Update 12/04/12:

The Department is in the final stages of conducting an assessment and evaluation of duty statements from each position at every custody facility to determine which job classifications (sworn personnel or custody assistant) are best suited to handle the functional operation of that particular position.

The Department's current Custody Division personnel staffing model is comprised of 68 percent deputy sheriffs and 32 percent custody assistants. An assessment of all positions in Custody Division was completed, which showed that the Division was understaffed. Unit commanders were requested to provide an efficient personnel staffing model to manage the various responsibilities encumbered by their respective facilities. As depicted in the table below, the unit commanders requested a total of 173 additional personnel items (130 deputy sheriffs and 43 custody assistants).

After a review of the personnel request and duty statements, the Department proposed the additional personnel items be filled with 160 custody assistant items. If the Department maintained its current compliment of sworn personnel and increased its compliment of custody assistants by approximately 160 positions, the staffing model would reflect 65 percent deputy sheriffs and 35 percent custody assistants. This is the maximum compliment of custody assistants as agreed upon in a Memorandum of Understanding (MOU) with the Association for Los Angeles Deputy Sheriffs (ALADS).

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

The table below depicts the Department's current staffing levels for deputy sheriffs and custody assistants, and the deployment of the proposed 160 custody assistants.

Facility	Deputy	CA	Captain's Request	Proposed CA
Men's Central Jail	568	164	10	15
Twin Towers Correctional Facility	466	277	30	25
Century Regional Detention Facility	233	151	23	20
North County Correctional Facility	271	79	17	17
PDC East Facility	129	59	14	14
PDC South Facility	164	78	19	19
PDC North Facility	144	67	5	5
Inmate Reception Center	251	186	55	45
Total:	2,226	1,061	173	160

The Department has submitted the appropriate funding request for 160 custody assistant positions to the Chief Executive Officer (CEO).

The Department is currently assessing if the percentage of custody assistants could be increased without jeopardizing jail security and safety. If this assessment indicates an increased percentage of custody assistants is feasible, then the Department would confer with the unions about possible changes to the MOU.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.8 (IN PROGRESS)

Rotations within and among proximate facilities should be implemented.

Chief Yim

10/15/12 Response:

Pursuant to Special Counsel Merrick Bobb's recommendation, the Department recently implemented mandatory rotations in Custody Division within each facility. The Department is evaluating the recommendation of implementing a sensible, but steadfast policy of rotations of personnel among proximate facilities. The Department is assessing the probability of employee union issues, the impact on affected personnel, and the best practices for the overall health of the Department.

Update 12/04/12:

The Sheriff's Department will work with the Implementation Monitor to assemble a working group of personnel to pilot rotations within and among proximate facilities to assess the viability of implementing such a policy. In order to ensure cooperation from the employee unions, participation in the pilot program will be voluntary.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.8 (IN PROGRESS)

The Department's Mission Statement should be changed to reflect the Importance of Custody.

Sheriff

10/15/12 Response:

The Department is reviewing the Mission Statement and will make the appropriate changes to reflect the importance of Custody Division.

Update 12/04/12:

The Department has developed a working group to review the current Mission Statement. The focus of the working group is to make appropriate changes to reflect the importance of Custody Division and a custody career path.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.10 (IN PROGRESS)

The Department should create a separate Custody Division with a professional jail workforce.

Chief Yim / Commander Fennell

10/15/12 Response:

As previously mentioned, if approved by your Board, the implementation of the Dual Track Career Path (DTCP) will fulfill this recommendation.

Update 12/04/12:

The CCJV illustrated a program similar to the San Diego County Sheriff's Department's (SDSD) two-tier system with a custody specific 16 week training academy and specific custody deputy designation as a recommended alternative to the Department's current personnel model. During the Department's assessment of the SDSD personnel structure, members of their department provided candid opinions regarding shortcomings of their model:

- The two academy model created a caste system at the onset of a deputy's career.
- Shortly after the creation of the "specific deputy designation," detention deputies initiated a class-action lawsuit for pay parity and attempted to separate from the deputy union, a situation that was settled in arbitration.
- As a result of the parity arbitration, a 5-10 percent pay differential was established, which nullified operational cost savings, one of the main reasons for the two-tier system.
- Due to the established caste system, hostilities often occur between patrol and detention deputies.
- During the recent San Diego County wildfires, their department was unable to address field force deployment needs. Their department took the risk of liability assigning detention deputies to handle patrol posts, even though they were not patrol certified.

During the Department's DTCP feasibility assessment, the prior Modified Deputy Program (MDP) was reevaluated. The MDP was previously terminated because it was ineffective and detrimental to the employee and the overall Department. The operation of the "Modified Deputy Academy" created a third job classification within the Custody Operations Division and increased operational costs over time.

Concerns with the MDP included:

- Two separate academies created a caste system.
- Operational costs to add a modified academy would double the current Academy budget.
- It was anticipated that custody assistants would initiate a lawsuit for pay parity as occurred in San Diego, minimizing any potential cost savings.
- Field force deployment would be unsustainable.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

- A survey of "Modified Deputies" indicated that the overwhelming majority found the program to be detrimental to their career. They felt it created a caste system in which they were openly disparaged.

The DTCP analysis proved it to be a more advantageous option that will enhance the careers of sworn personnel with additional career freedom, flexibility, and promotional opportunities. The DTCP attributes, when fully implemented, include:

- Recruitment, hiring and training will remain unchanged.
- Sworn personnel are provided the flexibility to select a career in custody without transferring to Field Operations Division.
- Personnel can promote within Custody Division up to the rank of division chief.
- The custody environment will experience an increase in its value.
- The program is cost neutral.
- In the long term the DTCP is projected to provide a cost savings, as non-patrol supervisors will receive five percent less in salary.
- The paradigm shift in the Department's culture will not create a caste system.

If approved by the Board and the CEO, the implementation of the DTCP will fulfill this recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.1 (FUNDING REQUIRED)

The investigative and disciplinary system should be revamped.

Chief Abner

10/15/12 Response:

The Department will need to expand the number of Internal Affairs Bureau (IAB) investigators. The Commanders Management Task Force has already met with Commission members to explore comparable systemic changes implemented by the Los Angeles Police Department (LAPD) in response to a 2001 Federal consent decree. Based on knowledge gained from our research, the Department is prepared to take the following steps consistent with the Commission's recommendations:

1. Seek funding to expand the number of IAB investigators.
2. Ensure that all uses of force that result in injuries more than "redness, swelling or bruising," or complaints of pain regarding the "head, neck, or spine" would be reviewed and, if necessary, investigated by IAB or Internal Criminal Investigations Bureau (ICIB).
3. Ensure all other uses of force investigated at the unit level come under the oversight and review of IAB and the Office of Independent Review (OIR), or the new Office of Inspector General (OIG) if approved by the Board.

Require all supervisors investigating cases involving injuries to seek out evidence from medical staff, including medical records, statement from personnel who witnessed injuries and photographs of injuries. (Medical personnel should also be asked to document that information in their own records).

Update 12/04/12:

Many of the changes regarding the criteria for IAB investigations are contingent upon the amount of funding provided by the Board. The Department will continue to work with the Implementation Monitor to ensure compliance with the intent of the recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.2 (IMPLEMENTED)

CFRC should monitor Force Packages for trends and concerns and the performance of supervisors.

Chief Yim

10/15/12 Response:

The Department agrees the Custody Force Review Committee (CFRC) should continue to monitor Force Packages for trends, concerns, and the performance of supervisors. The CFRC exhaustively reviews and scrutinizes significant force cases not rising to the level of an IAB investigation. If the Department is able to expand staffing for IAB investigators, more of these significant force cases will be scrutinized during Executive Force Review Committee (EFRC) as recommended by the Commission. In the interim, CFRC will continue to scrutinize these force cases, and monitor for trends, concerns, and the performance of supervisors.

Update 12/04/12:

The commanders who comprise the CFRC, along with the Custody Training Bureau and representatives from the Office of Independent Review, thoroughly examine the quality of each force package, focusing on the application of force, tactics, actions of supervision, and the overall quality of the investigation. Corrective action is routinely sought via directed training or formal administrative investigation. During a CFRC session, handling supervisors of each force incident are present to respond directly to questions regarding their decision making and performance. Recommendations are tracked for trends in performance or behavior.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.3 (IN PROGRESS)

Deputies should be required to provide a timely written report of force incidents and not be allowed to review video tape footage prior to completion of that report or any interviews.

Chief Abner

10/15/12 Response:

The Department has incorporated a policy consistent with the Commission's recommendation. The restructured Use of Force policy specifies that personnel are required to provide a timely written report of force incidents prior to reviewing video footage. Since the new Use of Force policy will not be effective until January 1, 2013, Custody Division immediately implemented a Division Directive requiring compliance with the same standards regarding the review of video footage (effective September 27, 2012).

Update 12/04/12:

This recommendation will be completed upon implementation of the new Use of Force Policy, effective January 1, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.4 (IN PROGRESS)

Deputies involved in Significant Force incidents should be separated and not permitted to talk to each other until they have provided a written statement or been interviewed by investigators.

Chief Abner

10/15/12 Response:

The Department will revise its policy to expand its "no huddling" practice for all significant force. The Department will monitor and review significant force incidents to ensure compliance with the policy.

Update 12/04/12:

The new force policy will require that for force incidents handled by Internal Affairs Bureau, deputies who use force and those who witness force will not be allowed to communicate with each other until they have prepared their report or have been interviewed by investigators. The policy will be effective January 1, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.5 (FUNDING REQUIRED)

IAB and ICIB should be part of an Investigations Division under a Chief who would report directly to the Sheriff.

Sheriff

10/15/12 Response:

I have restructured the Leadership and Training Division to have operational command of Internal Affairs Bureau (IAB) and Internal Criminal Investigations Bureau (ICIB).

In order to move IAB and ICIB under a separate and independent Investigations Division, the Department requires funding for an additional chief position. Consistent with the Commission's remarks, the Sheriff is not opposed to considering the appointment of a sworn or non-sworn Chief of Investigations from outside the Department, if the person possesses the knowledge, expertise, and skills required. The Sheriff would consider a former judge, judicial commissioner, or retired professional experienced in evaluating facts and evidence.

Update 12/04/12:

Currently, one chief oversees the Leadership and Training Division which consists of IAB, ICIB, Risk Management Bureau, Training Bureau, The Success Through Awareness Resistance (STAR) Unit, Employees Support Service Bureau, and the Bureau of Labor Relations and Compliance.

Under the proposed recommendation, this Division would be bifurcated. A new Division named Internal Investigations Division would be created. A proposed chief position would direct the new Division which would be tasked with the responsibilities of IAB and ICIB. The remaining units would remain within the Leadership and Training Division. The Internal Investigations Division chief would report directly to the Sheriff. This would send a clear message that disciplinary investigations and allegations of misconduct investigations are a top priority for the Department.

Consistent with the remarks of the CCJV, I agree with the recommendations and am considering the appointment of either a sworn or non-sworn Chief of Investigations from outside the Department. I am seeking a candidate with expertise as a prosecutor or an investigator.

The Department is working with the Chief Executive Officer (CEO) to identify funding for this recommendation.

See recommendation 4.6 status update for organizational charts related to all CCJV recommendations.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.6 (IMPLEMENTED)

IAB should be appropriately valued and staffed by personnel that can effectively carry out the sensitive and important work of that bureau.

Chief Abner

10/15/12 Response:

The Department will continue to make it clear that Internal Affairs Bureau (IAB) personnel are valued investigators. This will be accomplished through continuing to promote qualified personnel from the ranks of IAB. Captain Alicia Ault is an example of many experienced IAB investigators recently promoted. The Sheriff's Department also recognizes that promotion is only one method of developing a cadre of quality investigators, since the promotional process must follow strict Civil Service rules.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.7 (IN PROGRESS)

The Discipline Guidelines should be revised to establish increased penalties for excessive force and dishonesty.

Chief Abner

10/15/12 Response:

The Department will increase penalties for proven acts of excessive force and dishonesty. The increases will be reflected in the revised Discipline Guidelines to show "zero tolerance," including termination and possible prosecution.

Update 12/04/12:

The Discipline Guidelines have been revised and submitted for approval. Employee unions will be notified and provided an opportunity to respond.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.8 (FUNDING REQUIRED)

Each jail should have a Risk Manager to track and monitor use of force investigations.

Chief Yim / Commander Fennell

10/15/12 Response:

Most units currently must create a designated Risk Manager from existing personnel in order to vigilantly track and monitor use of force investigations, for thoroughness, timeliness, quality control, patterns, potential liabilities, and other factors.

Risk Management positions are sometimes not filled in order to fill essential front line posts. This is made more difficult with mandatory budget reductions.

Update 12/04/12:

The Department has requested eight additional lieutenants to assist in relieving further administrative burdens of existing line lieutenants. These lieutenants would be assigned to the following facilities: Century Regional Detention Facility, North County Correctional Facility, PDC East facility, PDC South Facility, PDC North Facility, Inmate Reception Center, Mira Loma Detention Center, and Transportation Services. Men's Central Jail and Twin Towers Correctional Facility already have Risk Management Lieutenants in place.

The Risk Management lieutenant would ensure the quality control of use of force investigations, inmate complaints, civil claims, lawsuits, and other risk management concerns determined by the Unit Commander. The timeliness and thoroughness of investigations is necessary to ensure proper accountability and reduce civil liability.

The qualifications of the Risk Management lieutenant require law enforcement experience as well as extensive institutional knowledge of the Sheriff's Department, policies, tactics, judicial procedures, and administrative investigations. In addition, this position would be almost exclusively interacting with various line lieutenants and sergeants, thus requiring the level of responsibility associated with the rank of lieutenant.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.9 (IN PROGRESS)

Force investigations should not be conducted by deputies' supervisors.

Chief Abner / Commander Hellmold

10/15/12 Response:

The Department agrees that force investigations should not be conducted by deputies' immediate supervisors, particularly when the leadership or involvement of the supervisor could be in question.

The Department has worked with the Office of Independent Review (OIR), and Special Counsel Merrick Bobb to develop policy to ensure that supervisors involved in a use of force incident shall not conduct the investigation. Additionally, any case where supervision is in question will be reviewed by both the watch commander and unit commander.

Update 12/04/12:

Strict compliance with the recommendation would require significant funding to ensure force investigations are not conducted by deputies' immediate supervisors. The Department will continue to work with the Implementation Monitor to develop viable solutions, and ensure compliance with the intent of the recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.10 (IN PROGRESS)

Captains should not reduce charges or hold penalties in abeyance for use of force, dishonesty, or failure to report force incidents.

Chief Abner

10/15/12 Response:

The Department will develop procedures to prohibit Captains from changing charges, reducing discipline, or holding penalties in abeyance for discipline involving use of force, dishonesty, or failure to report force incidents. Such changes will require consultation with the employee associations (ALADS and PPOA). The Department will keep the Board updated about the status of this recommendation.

Update 12/04/12:

The Department is consulting with County Counsel on this recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.11 (IMPLEMENTED)

The Department should vigorously investigate and discipline off-duty misconduct.

Chief Abner

10/15/12 Response:

The Department agrees that off-duty misconduct should be vigorously investigated and disciplined when founded. The Department will ensure oversight and review through the new inspectional process and Case Review, where applicable.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.12 (IN PROGRESS)

The Department should implement an enhanced and comprehensive system to track force reviews and investigations.

Chief Betkey

10/15/12 Response:

The Commission accurately reports that current Department policies require the completion of force reviews and administrative investigations in an appropriate time frame. In order to do a better job at enforcing those policies, the Sheriff's Department has implemented captain and commander duty statements, specifically identifying their duty to ensure objective and timely review of force investigations.

This policy provides the clarity of specific job functions to hold deficient performers accountable for their failures, without excuse or claim of ignorance. This clarity in expectations is not only reinforced through the chain of command, but at the annual "Captain's College" and "Commander's College" training seminar conducted by Department senior management.

Update 12/04/12:

The Department is currently implementing a database known as Operations Information Management (OIM) within Custody Division. OIM is in use within other units of the Department and it is anticipated the implementation phase, barring any unforeseen circumstances, will be the first week of April 2013. OIM will enable custody managers to assign and track force reviews and investigations. Concurrently, the Custody Automation Reporting and Tracking System (CARTS) is being built which will, once implemented, replace all functionality of Facilities Automated Statistical Tracking (FAST) and OIM. Because the OIM database is already in use, the Department will incur only licensing fees in order to implement OIM. The implementation of CARTS will be completed by June 2014.

OIM is only considered a temporary solution to capture data until a more reliable and comprehensive system, (CARTS) can be developed. OIM is not based on enterprise level architecture and is not suitable for the quantity of data to be used as a long term solution. Licensing fees for OIM is approximately \$30,000.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.13 (IN PROGRESS)

Inmate complaints should be tracked by deputies' names in PPI.

Chief Betkey

10/15/12 Response:

The Department's long-term plan is to create a new module in the updated Personnel Performance Index (PPI) database. In order to comply immediately, the Department is currently tracking inmate grievances, by the names of Department personnel, in the Facilities Automated Statistical Tracking (FAST) database.

Consistent with the Commission's recommendations, the information can be used to identify potential patterns of conduct by personnel. The process has been incorporated into the regular duties of each jail captain in order to ensure oversight and early warning to potential problems.

Update 12/04/12:

See recommendation 3.8 for status updates on PPI.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.14 (IN PROGRESS)

The inmate grievance process should be improved and include added checks and oversight.

Chief Yim

10/15/12 Response:

The Department agrees that the inmate grievance process should be improved, with added checks and oversights. The Department has worked with the American Civil Liberties Union (ACLU), Office of Independent Review (OIR), and Special Counsel Merrick Bobb to create an inmate grievance form and policies acceptable to all parties. The process was presented in Federal Court and the Department has been utilizing the established form and procedures.

The Department also implemented its own "Anti-Retaliation Policy" (Custody Division Manual Section 5-12/005.05) to ensure inmates were not discouraged from filing inmate grievances.

Update 12/04/12:

This recommendation includes several components:

- Each complaint form should be serialized and should be placed into two separate boxes – one for the Department and one for an outside oversight entity (e.g. ACLU or Inspector General)
- The complaint should not be investigated by the involved deputy's supervising sergeant
- Internal Affairs Bureau (IAB) should investigate any cases in which there is retaliation against an inmate.

Complaint Forms and Separate Boxes

This recommendation would require the department to reprint the current Inmate Complaint Forms as well as change the design procedure to address how to include sequential numbers for tracking on the forms.

Preliminary cost estimates to add an additional fourth page (outside oversight entity copy), and create envelopes for inmates to place in our existing lockboxes or to mail directly to the outside entity, replicating the new medical complaint process format, is \$164,000 to produce 1 million new forms and envelopes. It is anticipated that this supply would last approximately six to eight months.

In addition, the Department would be required to install about 450 additional lock boxes throughout the jail system for the outside entity copies of the forms. The Department estimates the cost of the additional lock boxes to be approximately \$22,500. This would be the least expensive option, but it comes with some undesirable consequences.

The new proposed sequential forms would require accountability by each facility. Accountability would require personnel to pass out forms only when requested by an

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

inmate. Personnel would also have to log each form and serial number in order to track and maintain a record. The Department would no longer be able to leave the Inmate Complaint/Request forms unsecured for inmates to retrieve at their leisure as the serialized forms would require tracking. This contradicts requests by inmate advocate groups that have requested that inmates have easy access to forms without having to ask a deputy for them.

The additional lock boxes would require the outside oversight entity to go inside security at each of the facilities, on a daily basis, to service the 450 lock boxes.

A viable alternative solution would be to implement an automated inmate complaint program utilizing iPad kiosks. This would be an automated system which does not require any type of paper forms. It would no longer require sergeants to collect the forms each shift. All complaints would be sent electronically to the appropriate unit or person in real time. The electronic complaints would be serialized and traceable.

A pilot program for Twin Towers is estimated to cost the department approximately \$493,469 and will take about six months to develop. The cost for this type of system is higher initially, but it comes with some tremendous advantages.

The inmate's complaint is sent immediately, in real time, to the outside oversight entity and to the appropriate custody personnel for investigation and resolution. The complaint is logged and tracked without any involvement by security deputies. The outside oversight entity does not need to physically walk throughout each custody facility on a daily basis to collect inmate complaints from lock boxes.

The Department has consulted with Merrick Bobb, the ACLU, and OIR. All of them support the use of electronic forms as long as inmates have easy access to the kiosks from their living quarters. The Department will discuss this option with the implementation monitor.

Complaint Investigations

The Department, when feasible, will have a sergeant from another part of the facility investigate a complaint. There are times, however, when this is not feasible. The Department has instituted mandatory job rotations at all Custody facilities. This means, as time goes on, every sergeant will have supervised every deputy at some point or another. Also, there are some instances, at some facilities, in which there is no other sergeant on-duty to investigate the complaint other than the supervising sergeant or the watch sergeant, who effectively supervises the entire shift.

Anti-Retaliation

The Department has implemented an Anti-Retaliation policy that requires the complaint to be documented and sent to IAB. The captain of IAB is responsible for determining who will conduct the investigation of the complaint.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.15 (FUNDING REQUIRED)

The use of lapel cameras as an investigative tool should be broadened.

Chief Betkey

10/15/12 Response:

The Department agrees that the use of lapel cameras, more commonly known as a Personal Video Recording Device (PVRD), should be broadened.

The Department is in its final phase of piloting and evaluating PVRDs for use in the jails. There are some technical limitations of the devices, but the Department is working with several vendors to address these limitations in order to deploy the PVRDs. Since the Department is expanding high definition fixed video surveillance throughout its jail facilities, PVRDs will be utilized during high-risk escorts, significant incidents, or other notable duties with the need for a video record of the incident.

Update 12/04/12:

The Department completed a comprehensive study that was delivered to the Board on November 2, 2012. The Department is working with the Chief Executive Officer (CEO) to identify funding for this recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.1 (FUNDING REQUIRED)

The Board of Supervisors should create an independent Inspector General's Office to provide comprehensive oversight and monitoring of the Department and its jails.

10/15/12 Response:

I agree and proposed a similar concept to your Board in 1999. The Department will support the Board's efforts to increase oversight and accountability in the jails through the Office of Inspector General (OIG).

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.2 (IMPLEMENTED)

The Department should report regularly to the Board of Supervisors on use of force and the status of Custody reform recommendations.

Sheriff

10/15/12 Response:

The Department agrees to report regularly to your Board on use of force and the status of Custody reform recommendations. I respect the Board's role of ensuring proper oversight of all County Departments, and will continue to provide reports showing use of force statistics, or any other data the Board feels helpful to ensure proper oversight and review.

I will continue to make myself available to the Board to present the ongoing status of jail reforms, and anything relating to the Department. I, along with the assistant sheriff for Custody, will continue to update the Board regarding jail reforms with support documentation reflecting implementation steps and status.

The Department appreciates the Commission's recognition that the Board should use its budgetary and oversight authority to ensure that any funds allocated by the Board to the Department to implement recommendations and reforms are used for their intended purposes.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.3 (FUNDING REQUIRED)

OIR should review unit level investigations for fairness and accuracy.

10/15/12 Response:

The Department agrees that the Office of Independent Review (OIR) should be given the resources necessary to add a staff position to ensure that the procedures and dispositions of all force incidents handled at the unit level are fair and thorough.

The Department will work with OIR to facilitate such oversight should the Board decide to fund the recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.4 (FUNDING REQUIRED)

The OIG should review the Department's data for trends, spikes, and patterns in the jails.

10/15/12 Response:

The Department agrees that the Office of Inspector General (OIG), if created by your Board, should review the Department's data for trends, spikes, and patterns in the jails. The Department will fully cooperate and work directly with the OIG to provide all that is needed to facilitate such analysis.